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# THE KATYN FOREST MASSACRE

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## HEARINGS

BEFORE THE

SELECT COMMITTEE TO CONDUCT AN  
INVESTIGATION OF THE FACTS, EVIDENCE,  
AND CIRCUMSTANCES OF THE  
KATYN FOREST MASSACRE  
EIGHTY-SECOND CONGRESS

SECOND SESSION

ON

INVESTIGATION OF THE MURDER OF THOUSANDS OF  
POLISH OFFICERS IN THE KATYN FOREST  
NEAR SMOLENSK, RUSSIA

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### PART 5

(FRANKFURT, GERMANY)

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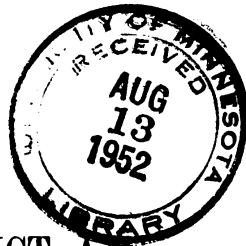
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Printed for the use of the Select Committee To Conduct an Investigation  
of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre



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**SELECT COMMITTEE TO CONDUCT AN INVESTIGATION OF THE  
FACTS, EVIDENCE, AND CIRCUMSTANCES OF THE KATYN FOREST  
MASSACRE**

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# CONTENTS

Testimony of—	Page
Ahrens, Friedrich-----	1287, 1521
Allgayer, Erwin-----	1505
Beck, Werner, Dr-----	1511
Bedenk, Albert, Col-----	1249
Bless, Hans-----	1416, 1471
Czapski, Jozef-----	1230
Genschow, Karl-----	1577
Herrmann, Karl-----	1509
Jaederlunt, Christer-----	1557
Kawecki, Wladyslaw-----	1497
Kempner, Robert, Dr. (Lansdowne, Pa.)-----	1534
Kramer, Rudi-----	1568
Naville, Francois, Dr. (Geneva, Switzerland)-----	1602
Oberhaeuser, Eugen, Gen-----	1263, 1519
Orsos, Ferenc, Dr-----	1597
Palmieri, Vincenzo Mario, Dr. (Naples, Italy)-----	1617
Pfeiffer, Albert-----	1319
Skarginsky, Matvey-----	1574
Stahmer, Otto, Dr-----	1549
Stephan, Werner-----	1246
Sweet, Paul, Dr. (Bucks, England)-----	1337
Tramsen, Helge, Dr. (Denmark)-----	1420, 1475, 1581
Von Eichborn, Reinhardt-----	1281
Von Gersdorff, Rudolph-----	1303
Von Herff, Fritz-----	1491
Vogelpoth, Paul-----	1329
Zietz, Wilhelm, Dr-----	1485
<b>Exhibits:</b>	
1. Returned to witness.	
1-A. Russian memorandum concerning Polish prisoners of war who did not return (identical with exhibit 50-A appearing in pt. IV, p. 944).	
1-B. Translation of Russian memorandum-----	1238
2. Letter of invitation from Katyn committee to Federal Republic of Germany-----	1244
2-A. Transmittal letter of Department of State covering German diplomatic mission reply to committee-----	1245
2-B. Reply to committee invitation by diplomatic mission of the Federal Republic of Germany-----	1245
3. Dnieper Castle, headquarters of Signal Regiment 537-----	1291
4. Railroad station at Gniezdowo, Russia-----	1298
5. Military Field Police Secretary Voss talking to two other German officers-----	1307
6. No exhibit 6 due to incorrect numbering.	
7. Professor Orsos of Hungary examining corpse at German exhumation-----	1315
8. German officer discussing Katyn with delegation of journalists-----	1316
9. American and British prisoners of war talking to a Russian native-----	1316
10. Russian worker with Polish Red Cross Director Skarzynski and others-----	1317
11. Group of German soldiers, members of exhumation and identification squad at Katyn-----	1325
12. Site of mass graves before exhumations-----	1325
13. Quarters of German soldiers near Katyn-----	1326
14. Dedicated graves of reburied Katyn victims-----	1326

Exhibits—Continued	Page
15. Page of a Polish officer's pay book.....	1327
16. Lieutenant Voss showing possessions of victims.....	1328
17. Reburial place for Polish murdered.....	1328
18. No exhibit 18 due to incorrect numbering.	
19. German, officer, Lieutenant Vogelpoth (witness at German hearings) inspecting growth of grass.....	1332
20. Delegation inspecting group of corpses.....	1333
21. German Foreign Office memorandum of conversation with Goebels concerning the discovery of Katyn graves, April 13, 1943....	1340
22. Captured German war document with translation.....	1342
23. No exhibit 23 submitted.	
24. Captured German war document with translation.....	1344
25. Captured German war document with translation.....	1366
26. Captured German war document with translation.....	1368
27. Captured German war document with translation.....	1370
28. Captured German war document with translation.....	1374
29. Captured German war document with translation.....	1376
30. Captured German war document with translation.....	1379
31. Captured German war document with translation.....	1381
32. Captured German war document with translation.....	1383
33. Captured German war document with translation.....	1386
34. Captured German war document with translation.....	1389
35. Captured German war document with translation.....	1390
36. Captured German war document with translation.....	1392
37. Captured German war document with translation.....	1396
38. Captured German war document with translation.....	1404
39. Captured German war document with translation.....	1407
40. Captured German war document with translation.....	1410
41. Not included as it partially duplicated exhibit 5-A, part III (Chicago).	
42. Captured German war document with translation.....	1414
43. Rows of exhumed bodies at Katyn.....	1424
44. Professor Subik and Dr. Tramsen standing in mass grave.....	1425
45. Katyn victims buried in tiers.....	1427
46. Professor Buhtz in presence of Medical Commission removing identification papers from body.....	1429
47. View of autopsy tables showing members of International Medical Commission at work.....	1430
48. Dr. Tramsen selecting body from mass grave.....	1430
49. Dr. Tramsen performing autopsy at Katyn.....	1431
50. Prof. Frantisek Hajek removing boot of Katyn dead.....	1432
51. Professor Miloslavich examining identification paper of Katyn victim as Dr. Tramsen watches.....	1433
52. Skull of Katyn victim with bullet visible.....	1434
53. Polish officer's hand tied with cord.....	1435
54. Polish officer's diary.....	1436
55. Personal belongings of a Polish general.....	1437
56. Laboratory in German institute at Smolensk, Professor Miloslavich holding skull.....	1438
57. Final meeting of committee at institute in Smolensk.....	1439
58. Professor Orsos and other Medical Commission members discussing protocol with members of the Health Ministry.....	1439
59. Members of International Medical Commission in Berlin.....	1440
60. Members of committee walking past Dnieper Castle in Katyn Forest.....	1441
61. Cap insignia of Polish victim.....	1444
62. Mobilization notice and identification slip of Polish officer.....	1445
63. Stamp collection of a Katyn victim.....	1448
64. Polish zloty (currency found on body of a Katyn victim).....	1450
65. Polish coins found on exhumed body.....	1454
66. Not published. Exhibit filed with committee.	
67. Not published. Exhibit filed with committee.	
68. Roll call list of officers with notation "Kozielsk, 12 April 1940"....	1458
69. No exhibit 69 due to incorrect numbering.	
70. Skull of Polish officer showing entrance hole of bullet.....	1461

# CONTENTS

V

Exhibits—Continued	Page
71. Personal effects found on Katyn victims.....	1462
72. Body of woman in another mass grave, not with Polish officers....	1463
73. Letter from Mr. Bless to Katyn committee.....	1473
74. General Oberhaeuser's free-hand sketch of Katyn area as he re- membered it.....	1520
75. Arrival of International Commission at Katyn.....	1522
76. Colonel Ahrens greets medical experts.....	1523
77. Exhibit 77 withdrawn.	
78. Colonel Ahrens talking to Russian beekeeper.....	1524
79. Dnieper Castle.....	1525
80. Dnieper Castle.....	1526
81. Letter addressed to Colonel Ahrens in Halle, November 15, 1941....	1527
82. Article by Mr. Jaederlunt in the Stockholm Tidningen, April 18, 1934.....	1559
83. Article by Mr. Jaederlunt in the Stockholm Tidningen, April 18, 1943.....	1560
84. Conversation between members of the International Medical Com- mission and a Russian native.....	1584
85. Dr. Buhtz and Medical Commission members examining one of exhumed bodies.....	1584
86. Dr. Palmieri in conversation with unidentified man at Katyn.....	1585
87. Professor Hajek holding arm of Katyn victim.....	1585
88. Dr. Orsos explains theory of calcification in brain pulp to the mem- bers of the Commission.....	1586
89. Dr. Orsos (Hungary) and Professor Saxen (Finland) examining exhumed Katyn corpse.....	1587
90. Dr. Orsos (Hungary) performing autopsy being watched by Pro- fessor Saxen and German soldier assisting.....	1588
91. Dr. Orsos (Hungary) indicating body to be exhumed and its re- moval.....	1589
92. Dr. Naville and Dr. Palmieri examining badly decomposed corpse...	1590
93. Exhumation of Katyn victim—watching at edge of pit is Dr. Orsos and others.....	1591
94. View of bodies in graves.....	1592
95. View of partial exhumation of bodies at Katyn.....	1593
96. Aerial view of Katyn Forest area in vicinity of Dnieper Castle....	1594
97. Exhumed Katyn victim.....	1595
98. Exhumed bodies of Polish victims at Katyn.....	1596
99. German forester making laboratory tests of trees from Katyn Forest.....	1606
100. Button taken from Polish officer's uniform.....	1607
101. Box of matches and documents removed from exhumed body....	1608
102. Document removed from exhumed body.....	1609
103. Hand-made wooden cigarette holder taken from body exhumed at Katyn. Kozielsk marked thereon.....	1609
104. Dr. Naville removing documents and box of matches from Katyn corpse.....	1610
105. Dr. Hajek performs an autopsy on a Katyn corpse showing the degree of decomposition.....	1611
106. Exhumed body of Katyn Forest victim showing degree of decom- position.....	1611
107. International Medical Commission signing protocol.....	1613



## THE KATYN FOREST MASSACRE

MONDAY, APRIL 21, 1952

HOUSE OF REPRESENTATIVES,  
THE SELECT COMMITTEE ON THE KATYN FOREST MASSACRE,  
*Frankfurt/Main, Germany.*

The committee met at 2 p. m., pursuant to call, in the main courtroom, resident officer's building, 45 Bockenheimer Anlager, Hon. Ray J. Madden (chairman) presiding.

Present: Messrs. Madden, Flood, Machrowicz, Dondero, and O'Konski.

Also present: John J. Mitchell, chief counsel to the select committee, and Roman Pucinski, committee investigator and interpreter.

Present also: Eckhardt von Hahn, interpreter.

(The proceedings and testimony were translated into the German language.)

Chairman MADDEN. The hearings will come to order.

I might state that these hearings at Frankfurt, Germany, of the special Katyn investigating committee, are one of a number of hearings already held by this committee. This committee was authorized by Congress on the 18th of September 1951.

During October 1951, the committee took testimony in Washington, D. C. When Congress reconvened in January, after a 3 months' recess, we again held a series of hearings in the city of Washington, D. C. In the middle of March we convened and held a series of hearings in Chicago, Ill. Last week we held 4 days of hearings in London, England.

The Congress of the United States created this committee for the purpose of recording testimony, documents, and data pertaining to the Katyn massacre, which took place at the beginning of World War II. This committee is creating a precedent in that it is the first time that testimony and hearings have been conducted regarding an international crime similar to Katyn.

International crimes and atrocities or mass murders have taken place before in history, but this is the first atrocity or international crime where two governments have accused the other of committing the crime, and up to the creation of this committee, there has never been a neutral committee created to investigate the facts and circumstances of the massacre at Katyn. If a committee of this kind had not taken the steps that we are taking, future generations, when they read the history of the mass murders at Katyn, would wonder why our civilization never took any steps to place the responsibility for those crimes at Katyn. That is the reason why the Congress of the United States authorized our committee.

Mr. John J. Mitchell, the counsel of the committee, will you announce the first witness and call him forward?

Mr. MITCHELL. Mr. Chairman, the first witness is Jozef Czapski, of Paris, France. He is the individual who searched for the missing Polish officers in Russia during the years 1941 and 1942.

Chairman MADDEN. Is Mr. Czapski in the room?

Mr. Czapski, do you object to being photographed?

Mr. CZAPSKI. No.

Chairman MADDEN. Mr. Mitchell, the counsel, will read a statement and this statement will be read first in English and then in Polish and German.

Will the two interpreters stand and be sworn?

Mr. FLOOD. What is your name?

Mr. PUCINSKI. My name is Roman Pucinski.

Mr. FLOOD. You are the interpreter in what language?

Mr. PUCINSKI. Polish.

Mr. FLOOD. What is your name?

Mr. VON HAHN. Eckhardt von Hahn.

Mr. FLOOD. You are the interpreter in what language?

Mr. VON HAHN. In the German language.

Chairman MADDEN. Do you solemnly swear, by God the Almighty, that you will, according to the best of your knowledge and ability, truly interpret the testimony from English into Polish and Polish into English?

Mr. PUCINSKI. I do.

Chairman MADDEN. Do you solemnly swear, by God the Almighty, that you will, according to the best of your knowledge and ability, truly interpret the testimony from English into German and from German into English?

Mr. VON HAHN. I do.

Chairman MADDEN. The counsel will read a statement to the witness.

Mr. MITCHELL. Mr. Chairman, I would like to read the whole statement through and then have both interpreters repeat it in Polish and German.

Chairman MADDEN. Proceed.

#### **TESTIMONY OF JOZEF CZAPSKI, PARIS, FRANCE (THROUGH INTERPRETER ROMAN PUCINSKI)**

Mr. MITCHELL. Before you testify, it is our wish to invite your attention to the fact that, under German law, you will not be liable for slander or libel, either in criminal or civil proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as the result of your testimony.

Mr. FLOOD. Let the record show that the witness understands the admonition.

Chairman MADDEN. The witness will be sworn.

Do you solemnly swear, by God the Almighty, that you will testify as to your own knowledge and tell the truth, and nothing but the truth, so help you God?

Mr. CZAPSKI. I do.

Mr. MITCHELL. Mr. Czapski, will you state your full name, please?

Mr. CZAPSKI. Jozef Czapski.

Mr. MITCHELL. Where were you born?

Mr. CZAPSKI. In Prague, Czechoslovakia.

Mr. MITCHELL. What year?

Mr. CZAPSKI. 1896.

Mr. MITCHELL. Where did you have your education?

Mr. CZAPSKI. I studied at Peterburg and in Krakow.

Mr. MITCHELL. What did you do upon the completion of your studies?

Mr. CZAPSKI. After the completion of my studies, I moved to Paris, where I did considerable painting; and up until 1939, I had occupied myself as an artist, as a painter, and I did considerable writing in Warsaw after. After 1931 it was in Warsaw.

Mr. MITCHELL. Then your official position or profession was what?

Mr. CZAPSKI. I am an artist, a painter.

Mr. MITCHELL. Where were you on September 1, 1939?

Mr. CZAPSKI. I was in Warsaw, and as a Reserve officer, I was immediately called to active duty.

Mr. DONDERO. In what Army?

Mr. CZAPSKI. Naturally, to the Polish Army.

Chairman MADDEN. Pardon me.

I might say, on account of the large crowd in the courtroom, it is going to be necessary for the people to be as quiet as possible, the people that are assembled here, and also for the witness and interpreters to speak as loudly as possible, and slowly.

Mr. MITCHELL. What was the exact date that you joined the Polish Army?

Mr. CZAPSKI. I was called to active duty on September 3 in Krakow, where my regiment, the Eighth Regiment, was stationed.

Mr. MITCHELL. Mr. Chairman, I would like to ask the witness if he wants to tell what happened to him from that date forward in his own story.

Chairman MADDEN. Let me say to the witness that any procedure that makes it easier for him to reveal his knowledge with regard to the Katyn murders and facts leading up to his knowledge can be followed by him.

You can proceed in whatever way you desire.

Mr. CZAPSKI. I would prefer if you asked me the preliminary questions and get me to Starobielsk as quickly as possible, where I can then begin my testimony as to my direct association and knowledge of this matter.

I can now tell you how I was taken prisoner by the Russians.

Mr. MITCHELL. Please do.

Mr. CZAPSKI. As an officer of the Second Squadron of my regiment, I was with my regiment during our retreat on the heels of the German advance. On September 27, our units were surrounded by the armies of Russia and we were taken prisoner.

Mr. MITCHELL. What year was that?

Mr. CZAPSKI. September of 1939.

I was among those officers who were sent to one of the three camps where officers who had been armed had been taken. These officers were interned at Starobielsk, Kozielsk, and Otashkov.



Chairman MADDEN. I will have to admonish the photographers that these lights are interfering with the proceedings, so they will have to be turned out.

Mr. MITCHELL. Proceed.

Mr. CZAPSKI. I can describe for you our conditions in Starobielsk.

Mr. MITCHELL. Very briefly, please.

Mr. CZAPSKI. We remained at this camp until April 5, when the evacuation of the camp began, and the evacuation lasted from April 5 to May 12 of 1940. There were approximately 4,000 of us in this camp. There were 3,920 during the period of the evacuation.

There were amongst us people of all ranks and all units, starting with the rank of general, and there were several generals there. There were several hundred doctors, there were a few professors of the universities, there were many priests.

Among others evacuated before us was Father Alexandrowicz, the superintendent of the Protestant Church in Poland, the Reverend Potocki, and also the rabbi of the Polish Army, Rabbi Steinberg; several outstanding intellectuals, and a very large number of youths. Their only crime was that they were defending Poland against the aggression of Hitler. When the evacuation began, we were removed from the camp in groups numbering from 60 to 250 at each move.

Mr. MITCHELL. How many were in the group that left with you?

Mr. CZAPSKI. In my group there were only 16, but I will cover that later.

Mr. MITCHELL. On what date did you leave?

Mr. CZAPSKI. The 12th of May.

Mr. MITCHELL. What year?

Mr. CZAPSKI. 1940.

During this evacuation, a select group of 63 people was evacuated on the 25th of April. During this evacuation, the commanding officer of the camp, Berezkov, and another man, Kirszyn, assured us that we were being sent back to our homeland, to our own country, irrespective of by whom that country was being occupied, the Russians or the Germans.

At the same time, they were spreading rumors, however, that they were sending us to France, where we would form a special unit which would fight against Hitler.

After the 25th of April, when this select group had been evacuated, only a few more groups were evacuated. Included in those few remaining groups was my group of 16, which left on the 12th of May. We were first sent to Pavlishchev Bor, in the province of Smolensk. There we met the select and special group which had been evacuated from our camp on the 25th of April. Likewise, we also met there officers from the camps of Ostashkov and Kozielsk, numbering in all, approximately 400.

Mr. MITCHELL. Where was that?

Mr. CZAPSKI. That was in Pavlishchev Bor, in Smolensk.

After a couple of weeks, we were all sent to the camp of Griazovec, near Wologda. We at that time reasoned that all of our officers had been scattered among various camps in a similar manner. The uncertainty about the rest of our officers began that summer when we began receiving letters from relatives inquiring about them, from Poland.

Mr. MITCHELL. How long were you at the camp of Griazovec?

Mr. CZAPSKI. I remained at Griazovec until the end of August 1941.

Mr. MITCHELL. You are arrived at Griazovec what date?

Mr. CZAPSKI. Either at the very end of June or the early part of July 1940.

Mr. MITCHELL. Proceed with the rest of your story.

Mr. CZAPSKI. The alarm over our other fellow-officers grew from month to month.

Mr. FLOOD. Just a minute.

Before you begin to tell us about the search for the officers and the concern about the missing officers, I would like to know why you managed to survive, why you think the Russians kept you alive; and did your brother officers at Griazovec talk about that same question?

Mr. CZAPSKI. I must answer your second question first.

None of us, there wasn't a single one amongst us who at that time suspected these men had been murdered. We merely presumed that these men had been scattered in small groups such as ours in other camps and assigned probably to hard labor.

Do you now want to ask your first question?

Mr. FLOOD. I want your opinion today, as far as you are concerned.

Mr. CZAPSKI. In Griazovec there were interned people of all political beliefs, of all classes and not only but also members of minorities. It is my opinion that the decision to murder my fellow-officers was made in the Kremlin. This was during a period when there was great joy because of the close cooperation between Hitler and Stalin. It was their plan to first exterminate and execute these Polish officers, because for them it constituted a certain revenge, for these Poles constituted the elite of my country. But they did want to preserve a small group so that if a subsequent demand should ever be made, they could point to this group and say, "Here they are; you do have these people."

After the arrangement reached between Stalin and Sikorski, following Germany's invasion of Russia, a decision was reached that a Polish Army would be formed on the Russian territory, which would fight against the armies of Hitler.

Mr. MITCHELL. This committee has already heard testimony about a place called the "Haven of Bliss." Do you know anything about that? Answer yes, or no.

Mr. CZAPSKI. Yes.

Mr. MITCHELL. Tell the committee very briefly what you know about it.

Mr. CZAPSKI. I know only that about 20 officers had been taken there prior to the agreement reached between General Sikorski and Stalin.

Mr. MITCHELL. From which camp did those officers come; Pavlishchev Bor, or Griazovec?

Mr. CZAPSKI. From Griazovec and I think also from Moscow.

Mr. MITCHELL. Proceed and tell us what you know.

Mr. CZAPSKI. I know that the purpose of taking these people there and organizing this camp was to attempt to convert them to form a Red Polish Army in Russia.

Mr. FLOOD. Where was this villa?

Mr. CZAPSKI. Near Moscow.

From this group of approximately 20 officers, only a handful had agreed to this conversion. Among those who were converted was Berling, who subsequently became the commanding officer or commander in chief of the Red Polish Army in Russia at the time that General Anders' Polish forces were transferred from Russia.

And here lies one very important detail, which I would like to relate.

The chief of the NKVD, Beria, and his assistant, Merkulow, proposed to this particular group of officers, during the late fall of 1940, to prepare a plan for the formulation of a Polish Army in Russia which would fight against the armies of Hitler in case of a war against Hitler Germany.

Mr. MITCHELL. When did you say that was?

Mr. CZAPSKI. That was the late fall of 1940. At that time, Berling, who was the proposed commanding officer, said, "Very well; but under the condition that all of the Polish officers will be recruited into this proposed Army." To that, Beria replied, "Naturally, all of them; the leftists and the rightists, all of them."

To this, Berling replied: "Very well, we have the officers at Kozielsk, Starobielsk, and Ostashkov, and we have officers there of all units, so that we can form a complete army."

At this time, Merkulov told Berling: "Oh, no, no, not those at Kozielsk and Starobielsk. With those we have made a grave mistake."

Mr. MITCHELL. How do you know that?

Mr. CZAPSKI. I learned of this conversation in Turkestan in 1942. I heard this from three different people who, at various moments and at different places, had repeated this conversation to me.

Mr. MACHROWICZ. Mr. Chairman, I think at this point of the record it should be pointed out that this very same conversation, in those very same words, has been testified to before the committee, under oath, by other witnesses to whom they were repeated on the very same day they were uttered by Merkulow.

Chairman MADDEN. Very well.

Mr. MITCHELL. That is about all you know about the Haven of Bliss?

Mr. CZAPSKI. Yes, that is about all.

Mr. MITCHELL. You started to tell this committee, before I interrupted you, about the formation of the Sikorski-Stalin pact. Will you continue, please?

Mr. CZAPSKI. I began tell you this so that you would understand that when we were released from this camp as a cadre which was to form the Polish Army, already at that time, we were very seriously concerned about the safety of our fellow officers and, at that time, we already had prepared a list of several thousand of those whose names we could remember. But, I want to stress here and emphasize that we had considered the possibility that these men may have frozen to death, may have been starved to death, but at no time did we conceive of the possibility that these men may have been massacred.

The second phase that I can testify to is when we began forming our army in the regions near the Volga.

Mr. FLOON. Before you start that second phase, I think you should know that the records of this hearing, or the hearings of this committee already show that the protocol, a copy of the protocol signed by the Soviet and the London Polish Government has been entered

as a document in these hearings, and that, among other things, that protocol provided that on the part of Soviet Russia all prisoners—military, civil, or otherwise—held by the Russians in Russia, Poles, would be automatically freed, with the only exception listed being certain criminals.

Do you understand that in English?

Mr. CZAPSKI. Yes.

Mr. FLOOD. And having that in mind, the Poles now began to form their army, taking for granted the Poles would be released by the Russians for that purpose.

Mr. CZAPSKI. That is correct.

Mr. MITCHELL. Will you now proceed with the story of your assignment?

Mr. CZAPSKI. Yes; only mine.

Mr. MITCHELL. Then, the committee would like to know how you were appointed, why you were appointed, to whatever assignment you were appointed, and what time the appointment was made.

Mr. CZAPSKI. The reason was very clear. At the very beginning, I was assigned as chief of an office of assistance and information for the first Polish division that was being mobilized near Totsk. All the soldiers and all the officers that had reported from the various camps to this division had to first go through my hands.

Mr. MITCHELL. Who appointed you to that job?

Mr. CZAPSKI. General Tokaszewski, who was in charge of forming and mobilizing this particular division.

Mr. FLOOD. Just a minute.

For the purpose of today's hearing and to show some continuity, the record should show that at the time the rapprochement developed between the Soviet and the London Poles, Polish General Anders was a prisoner of the Russians in the Lubianka Prison in Moscow, and the Chief of the London Polish Government, General Sikorski, being unable to locate the Chief of Staff, General Haller, designated General Anders as the new commander in chief of the Polish Army to be organized in Russia. The Russians then released General Anders who proceeded to form the Polish Army, as indicated so far, and the testimony of General Anders taken in London indicates that he designated the witness, Czapski, to head up this unit and that his appointment from the other general mentioned was merely through the chain of command.

Mr. CZAPSKI. What I began testifying to before Mr. Flood's remarks was that at the time that I was describing I was just a very small, insignificant information officer of only one division, and it is very important that I be permitted to make my point here.

It was on the basis of the information that I obtained at that particular time that I went to General Anders with my information, and it was then that he appointed me in charge of the entire search for these men. When I was ordered by General Anders to organize a bureau to search for these men, I left Totsk and I proceeded to Buzuluk and joined the General Staff of the Polish Army.

Chairman MADDEN. Tell the witness if he would like to have a 5-minute recess, we can have a recess now.

Mr. CZAPSKI. It is immaterial.

Chairman MADDEN. Proceed.

Mr. CZAPSKI. I transferred to Buzuluk either in October or November—end of October or possibly the beginning of November, and with a large staff, I prepared a lengthy list of names which, subsequently, on the 4th of December, General Sikorski presented to Stalin.

But, there is a second reason why I had been named to this particular assignment by General Anders.

Mr. FLOOD. Just a minute.

Could that date of the meeting with Stalin have been December 3?

Mr. CZAPSKI. It is possible. It could have been the 3d or the 4th.

Mr. DONDERO. What year?

Mr. CZAPSKI. 1941.

The second reason was that I spoke Russian fluently. I had studied in Russia, and as early as 1919, I had made a search for Polish officers following the Bolshevik revolution.

As a result, I left behind my staff, which continued compiling and improving the list of the missing officers, and I personally then went into the terrain of Russia. I began at Czkalow, because the chief of the Soviet camps, the chief of the Gulag, was stationed at Czkalow. I went there with a letter from General Anders in which it was stated that on orders of Stalin all of the Polish prisoners should be released.

I was greeted, or received, by General Nasetkin. The General was sitting in front of a huge map of Russia on which were superimposed hundreds of stars and other marks indicating prison camps throughout Russia. Nasetkin received me somewhat cordially, because he was alarmed when I showed him the letter.

Chairman MADDEN. How did you know that these hundreds of stars on this map represented prison camps throughout Russia?

Mr. CZAPSKI. I knew because while I was the information officer at Totsk, and from where I came, I had received thousands of people who came from these very places—from Kolyma, from Kola, and from Komi which is in Soviet Russia near the Urals.

Mr. MITCHELL. Will you proceed, please?

Mr. CZAPSKI. General Nasetkin had promised to give me the answers to my questions on the following day.

Mr. MACHROWICZ. Did he say he needed that day's time to make telephone inquiries about these camps?

Mr. CZAPSKI. Yes; that is correct.

The following day, he received me very badly. It was obvious and apparent that he had received instructions from Moscow and from Kuybishev that he had no permission to talk to me.

Mr. FLOOD. Instead of asking a question, just for the record, the significance of Kuybishev was the fact that, because of the German advance, the Russian Government and the diplomatic corps had been moved to Kuybishev.

Mr. CZAPSKI. That is correct.

At the same time that I was getting this bad reception from Nasetkin, a general of the NKVD had contacted General Anders in Buzuluk and told him: "Czapski has no right to roam around the country. His dealings shall be confined to the central headquarters of the NKVD."

Following my return to Buzuluk, General Anders immediately dispatched me to the general headquarters of the NKVD. I went to Kuybishev, but I did not remain there very long because all traces

led to Moscow. In Moscow, I attempted to talk either to Beria or to Merkulow.

Mr. MITCHELL. Whom did you talk to?

Mr. CZAPSKI. I was received neither by Beria nor Merkulow, but I did succeed in talking to one of Merkulow's most trusted and top assistants, General Rajchmann.

Mr. MITCHELL. When did you see him, approximately?

Mr. CZAPSKI. It was either at the beginning of February or the end of January 1942.

I beg your pardon. It was the 2d of April 1942.

Mr. MACHROWITZ. Wasn't it on February 3, 1942, witness?

Mr. CZAPSKI. No, it was the 2d of February, 1942.

Mr. MITCHELL. What transpired during your conversation with Rajchmann?

Mr. CZAPSKI. Rajchmann greeted me or received me, as the Russians always do, with another silent witness there. I handed him a memorandum which I now hold in my hand. It is the same memorandum.

Mr. MITCHELL. Do you have any objections to permitting the committee to see that, having it photostated, and returned to you?

Chairman MADDEN. Just a minute.

We'll take a recess for a few minutes now if the cameramen that came late desire to take pictures.

(Whereupon, a recess was taken.)

(After recess.)

Chairman MADDEN. The committee will come to order. Proceed.

Mr. FLOOD. Now, Mr. Czapski, you have handed us what purports to be a memorandum handed by you to General Rajchmann; is that correct?

Mr. CZAPSKI. Yes; that is correct, Mr. Flood.

Mr. FLOOD. Will you have the stenographer mark this as exhibit No. 1?

(The document referred to was marked as "Exhibit No. 1, Frankfurt" and was returned to the witness at his request.)

Mr. FLOOD. I now show you exhibit No. 1 and ask you whether or not this is the memorandum to which you have just referred.

Mr. CZAPSKI. Yes, Mr. Flood, this is the original memorandum that I had handed him.

Mr. FLOOD. Do I understand that you will have a photostatic copy of this prepared for later submission to the committee?

Mr. CZAPSKI. That is correct.

Mr. FLOOD. We will have the photostatic copy then marked for the permanent record as exhibit 1-A, at which time the original document, exhibit 1, can be returned to the witness.

(Exhibit No. 1-A, photostatic copy of exhibit 1, is identical with exhibit 50-A already appearing in pt. 4, London hearings, p. 944, and will not be reprinted at this point.)

Mr. FLOOD (continuing). Now, in what language is that document, exhibit 1, now written?

Mr. CZAPSKI. In Russian.

Mr. FLOOD. Will you also have provided a translation from Russian into English to accompany the photostat of exhibit No. 1?

Mr. CZAPSKI. If you will help me, of course I will.

Mr. Flood. And that translation will be marked as "Exhibit 1-B."  
(Exhibit 1-B, English translation of Exhibit 1, is shown below.)

[Translation from Russian of Exhibit 1]

[On the top a pencil mark:] Memorandum submitted in Moscow to the Gen. Raichmann in Lublianka [seat of N. K. V. D.] on April 2, 1942, by Capt. Czapski.

**MEMORANDUM CONCERNING THE POLISH PRISONERS OF WAR FROM STAROBEL'SK, KOZEL'SK AND OSTASHKOV, WHO DID NOT RETURN**

The prisoners of war, who from 1939 until April 1940, were in Starobel'sk, Kozel'sk and Ostashkov (numbering more than 15,000, of whom 8,700 were commissioned officers) did not return from exile, and the place of their confinement is unknown to us; an exception are 400-500 men, that is approximately three percent of the total number of prisoners of war, who were released in 1941, after one year's imprisonment in Griasovets near Vologda or in other prisons.

*Camp in Starobel'sk No. 1*

Shipments of prisoners of war used to arrive in Starobel'sk camp from 30 September to 1 November 1939 and when the clearing of the inmates of the camp began, the number of the Polish Prisoners was 3,920 men including generals and colonels who were kept separately. There were also several scores of civilians, about 30 cadet-officers (podkhorunzhii) and ensigns (khorunzhii). All others were commissioned officers, of whom at least 50 percent were of the regular army, 8 generals, more than 100 colonels and lieutenant-colonels, about 250 majors, approximately 2500 first and second lieutenants of all branches of the service and auxiliary services. Among them there were 380 doctors, several professors of institutions of higher learning, etc.

Kozel'sk No. 1 and Ostashkov were camps for prisoners of war, both formed and cleared approximately at the same time.

*The camp in Kozel'sk*

On the day when the clearing of the camp began—on April 3rd, 1940—the camp had approximately 5,000 prisoners, among them 4,500 commissioned officers of all ranks and of all branches of the service.

*Camp in Ostashkov*

On the day when the clearing began—on April 6, 1940—this camp contained 6,750 men, among them 380 commissioned officers.

*The clearing of the Camp in Starobel'sk*

On April 5, 1940, the first group, consisting of 195 men, was sent from Starobel'sk Colonel Berezhkov the Soviet commandant, and commissar Kirshin official assured the prisoners of war, that they are being sent to the distribution center, from where they will be sent to the places of their residence, to Poland, both to the German or the Soviet part.<sup>1</sup> Up to April 26, inclusive, groups consisting of from 65 to 240 men were shipped.

On April 25, after the customary announcement concerning the sending of more than 100 men, a special list of 63 men was read, to whom the order was given to stand separately during the departure to the station.

After April 26 there was an interruption in the clearing of the camps until May 2, when 200 men were sent. After that the rest of the prisoners were sent with small groups on the 8th, 11th, and 18th of May. The group, which included me, among others, was sent to Pavlishchev Bor (Smolensky region), where we met the whole "special group" of 63 men, who were sent on April 25. Thus we numbered 79, almost all being commissioned officers from Starobel'sk, who were, after one year, released from Gрязовецкы camp. Adding to this number 7 more commissioned officers, who were shipped individually during the winter of 1939-40 from Starobel'sk, the total number of those commissioned officers who were released will make 86 out of 3920 men, i. e., slightly more than 2 percent of the total number of prisoners in Starobel'sk.

<sup>1</sup> According to the numerous letters received in Poland in the winter of 1940-41, we know for sure that nobody was then sent from Starobel'sk, Kozel'sk, and Ostashkov back to Poland.

*The clearing of the camps of Kozel'sk and Ostashkov*

It proceeded in like manner. In Pavlishchev Bor we found about 200 commissioned officers from Kozel'sk and about 120 men from Ostashkov. The proportion between the number of people brought to Pavlishchev Bor from these camps and the number of people confined there differed slightly from the proportion relating to Starobel'sk.

*The camp in Griazovets*

After a month's stay in Pavlishchev Bor the whole of the camp, approximately 400 people, was shipped to Griazovets near Vologda, where we remained until the day of [our] release. About 1,250 commissioned officers and enlisted men also arrived there, they were previously interned in Lithuania, Latvia, and Estonia and stayed as internees (not as prisoners of war) in Kozel'sk No. 2 from the fall of 1940 till the summer of 1941.

The camp in Griazovets was known to us as the only PW camp consisting mostly of commissioned officers of the Polish Army, which existed in the U.S.S.R. from June 1940 to September 1941, and the population of which, after their release, almost in full number, joined the Polish Army in the U.S.S.R.

Almost 6 months had passed since the "amnesty" to all Polish PW's and internees was proclaimed on August 12, 1941. Polish commissioned officers and enlisted men, released from confinement to which they were subjected when trying to cross the border after September 1939 or those arrested at places of their residence, were arriving, in groups or individually, to join the Polish Army. But despite the amnesty, in spite of the explicit promise given by the President of the Sovnarkom (Soviet of People's Commissars) Stalin himself, in November 1941, to our envoy Kot that PW's be returned to us, despite of a strict order to locate and liberate the PW's from Starobel'sk, Kozel'sk, and Ostashkov given by Stalin on December 4, 1941, in the presence of the Commanding General of the Polish Army Sikorski and General Anders, in spite of all this not a single prisoner of war appeared from Starobel'sk, Kozel'sk and Ostashkov (except the group from Griazovets mentioned before and a few scores of persons who were separately interned and liberated as early as in September).

No appeal for help from the PW's interned in the camps mentioned above has ever reached us.

In spite of the interrogation of thousands of persons returning from all the camps and prisons of the U. S. S. R. we shall have not obtained any reliable information on their [the prisoners, in Starobel'sk] whereabouts, except for the following rumors coming from second-hand sources: that from 6 to 12 thousands commissioned and noncommissioned officers were sent to Kolyma via Bukhta Nachodka in 1940;

That more than 5,000 commissioned officers were collected in the mines of the *Frants Iosif Islands*; that there were deportations to *Novaia Zemlia*, *Kamchatka*, and *Chukotka*; that in the summer of 1941, 630 commissioned officers, PW's from Kozel'sk, were working 180 kilometers from *Pestraia Drevsa*; that 150 commissioned officers, clad in their uniforms, were seen north from the river *Sos'va* near *Gar'*; that some Polish commissioned officers, prisoners of war, were transported on huge towed barges (1,700-2,000 men to a barge) to *Severnnye Ostrova* and that three such barges sank in *Barents sea*.

None of this information was confirmed sufficiently, although the information on *Severnnye Ostrova* and *Kolyma* seems to be the most probable.

We know that every prisoner of war was registered, and that the "case records" of all us, with the numerous records on interrogations together with the documents, identified and checked photographs, were kept in special files. We know how carefully, and exactly this work of the NKVD was conducted, so that none of us, [former] prisoners of war, can believe for a second that the whereabouts of 15,000 PW's of which more than 8,000 are commissioned officers, could be unknown to the higher authorities of the NKVD. The solemn promise of the *Predsovnarkom* Stalin himself and his strict order to ascertain the fate of the former Polish prisoners of war permit us to hope that at least we could know where our brothers in arms are and, if they have perished, how and when it happened.

*Number of commissioned officers of the Polish Army, former prisoners of war, who did not return*

On April 5, 1940, the day of the beginning of the clearance of the camp of inmates in *Starobel'sk*, the total number of commissioned officers, prisoners of war,



with the exception of some civilians and approximately 30 ensigns and cadet-officers was 3,920.

The number of prisoners of war in *Kozel'sk* on April 6, 1940, the day when clearing of the camp of inmates began, amounted to 5,000, among them commissioned officers constituted 4,500.

The number of prisoners of war in *Ostashkov* on April 6, 1940, the day when the clearing of the camp of inmates started, was 6,570; the commissioned officers constituted among them 380. Total 8,800 commissioned officers.

By deducting several scores of civilians from Starobel'sk the number of commissioned officers constitutes 8,700.

Some 300 commissioned officers from *Griassovets*, former prisoners of war from Starobel'sk, Kozel'sk, and Ostashkov, have returned to the Polish Army and furthermore several scores were released from prisons, into which they were sent from the above-mentioned camps, and returned, which makes the total number of returned commissioned officers not more than 400.

Consequently the following figure shows the number of commissioned officers who did not return from Starobel'sk, Kozel'sk, and Ostashkov camps—8,300 men.

All officers of the Polish Army, the number of which as of January 1, 1940, amounted to approximately 2,300 persons, were formerly confined or interned in Lithuania, Latvia, and Estonia, but they were not prisoners of war (with the exception of the above-mentioned 400 persons).

Being unable to define with similar precision the grand total number of all those who did not return, we give solely the figures of the prisoners of war from Kozel'sk, Starobel'sk, Ostashkov, the majority of which are officers, because we were able to determine their number with relative precision.

Because we were now expanding, by virtue of the decision of the Chairman of the Council of People's Commissars Stalin and of General Sikorski, our army in the south of the U. S. S. R., a continuously growing need is felt for these officers who disappeared; we are losing in them the best military experts, the best commanding personnel.

No special explanation is required to realize the extent to which the disappearance of many a thousand of brothers-in-arms obstructs the work of the creation in our army of confidence in the Soviet Union, which confidence is so much needed for a sound development of mutual relations between the two allied armies in their struggle against the common sworn enemy.

Commissioner for the Affairs of  
Former Prisoners of War in the USSR  
Captain of the Cavalry JOZEF CZAPSKI

Moscow, February 2, 1942.

Mr. CZAPSKI. I would like at this time to say, in a few words, what is in this memorandum.

Mr. FLOOD. You can proceed to testify from the best of your recollection as to what the memorandum contains, and refer to it, if necessary, to refresh your memory.

Mr. CZAPSKI. I began this memorandum with an accurate and detailed account of how these officers were transferred to these various camps, including the numbers. Then I cite all of the promises made by Stalin in the presence of Molotov that all of these people are ordered to be released. Then I proceed to explain that Poles are arriving to us from all over Russia and that among them there isn't a single member nor a single name of any of these three camps. I then proceed to name all of the islands and far-away camps where there are rumors that these officers may be interned. I want to emphasize here that at that particular time I still believed that these men would be found.

Mr. O'KONSKI. And that they were alive.

Mr. CZAPSKI. Yes; and I believed that they were alive, or I hoped that they were alive.

And then I further state in my memorandum that I cannot believe that the Russians do not know the whereabouts or the fate of these soldiers.

I further stated that I know very well how carefully the NKVD records the movements of every prisoner.

I then stated in the memorandum that the solemn promises of Stalin that these men would be released authorizes me to inquire of them to tell me at least whether or not these men are still alive.

General Rajchmann read my memorandum very calmly. He said that he knows nothing about this matter, although I have heard from other sources that he was for a certain time in charge of the entire Polish section.

Mr. FLOOD. Just a minute. What was the date of that memorandum?

Mr. CZAPSKI. The 2d of April 1942.

Mr. MACHROWICZ. Just a minute; the 2d of April, or the 2d of February?

Mr. CZAPSKI. I have noted here on my copy of the original that it is the 2d of April. It is possible that it was the 2d of February.

Mr. MITCHELL. What, exactly, have you got at the top of that memorandum?

Mr. CZAPSKI. I must make a correction. In the typewritten statement, typewritten in Moscow, the date is given as the 2d of February. My own notation at the top is incorrectly stated, in my own handwriting.

Mr. PUCINSKI. The witness, Mr. Chairman, is indicating in his copy here on the last page, under the signature, as the typewritten date, "February 2d," and a little notation on the face of the memorandum, written by hand, is the date "April 2d."

Mr. MACHROWICZ. Just one question, and I would like to have your answer on the record. Do you now wish to correct your statement so that it will read that this conversation you had with General Rajchmann and the date of handing him the memorandum is February 2d, 1942—is that correct?

Mr. CZAPSKI. Yes, I want that very much.

Mr. FLOOD. Now that we have established the date, I want to ask you this. In all of your conversations with any Russians of any category any place during your search thus far, had anybody told you that the Polish missing officers must be German prisoners, or prisoners of the Germans?

Mr. CZAPSKI. Never. Not once had I been told anything of that sort. And here I would like to add that it was common knowledge that the Russians had evacuated the prisoners when the Germans were advancing along all points sooner than they even evacuated the Russian families. For how these evacuations were conducted I suggest that you read a chapter in my book, *Inhuman Land*, which has the original stenographic record of this entire procedure of evacuation.

Mr. MACHROWICZ. Mr. Czapski, in that memorandum that you handed to General Rajchmann, did you specifically mention the fact that there were about 15,000 prisoners in Kozielsk, Starobielsk, and Ostashkov, and that none of them had been heard from?

Mr. CZAPSKI. I must reply to this very expressly. There were 15,000 in all. There were officers; there was police; and there were also soldiers. Of the officers in these three camps, there were 8,700.

Mr. MACHROWICZ. Did General Rajchmann tell you whether he would furnish you with an answer to the memorandum?

Mr. CZAPSKI. Yes. General Rajchmann assured me that he would give me a reply.

Mr. MACHROWICZ. Did you receive the reply?

Mr. CZAPSKI. I waited several days in Moscow, and suddenly one evening—that is, at midnight—I was awakened by the telephone. That was General Rajchmann calling me personally, who, in a very sympathetic manner, informed me that he would not see me again and that he had no knowledge in this matter, and he advised me to return to Kuybishev to see Vishinsky, since all the records on this matter were with Vishinsky at Kuybishev.

Mr. MACHROWICZ. Just a minute. Was Vishinsky then Commissar of Foreign Affairs?

Mr. CZAPSKI. He was the Vice Minister.

I told Rajchmann in reply that Ambassador Kot had talked to Vishinsky on eight different occasions in this matter and that Vishinsky's answer always was that he had no knowledge in this matter.

Mr. FLOOD. Just a minute. The record should show that Ambassador Kot is the Ambassador from the London-Polish Government to the Soviet, and at this time was with the Diplomatic Corps at Kuybishev.

Mr. MACHROWICZ. Did that conversation end your seeking for information from the Russian authorities on the fate of these Polish officers?

Mr. CZAPSKI. Actually, yes. There were subsequent conversations. There was one with Ehrenburg, but the results of this conversation had contributed nothing new.

Mr. MACHROWICZ. By "Ehrenburg", you mean Ilya Ehrenburg, is that correct?

Mr. CZAPSKI. Yes.

Mr. MACHROWICZ. Who was Ilya Ehrenburg?

Mr. CZAPSKI. He was one of two of the most noted Russian writers at the time, and he had received a special Stalin prize (100,000 rubles) from Stalin for his book entitled "The Collapse of Paris."

Mr. MITCHELL. One question. When did you cease to be the head of this chief investigative unit for the locating of the missing Polish officers in Russia?

Mr. CZAPSKI. After my return to the Polish forces, which was either in April—it was in April of 1942.

Mr. MITCHELL. Why?

Mr. CZAPSKI. First of all, because I ceased believing that these men were alive. I base this conclusion of mine on my discussion and conversation with Hajchmann. Secondly, I had learned in Turkistan at this time of the discussions of Merkulow in the Villa of Bliss.

Mr. MACHROWICZ. Now, you are referring to the conversation in which Merkulow said or admitted that the Russians made a great mistake with these Polish officers?

Mr. CZAPSKI. Yes, that is correct.

Mr. FLOOD. Now, Mr. Czapski, I take for granted that this about terminated your general search—not that you ended it; I know that you still continued in a general way from then on.

Mr. PUCINSKI. The witness indicated, Mr. Flood, that he wants to reply to that.

Mr. CZAPSKI. Officially my work was finished, and; naturally, I continued my interest in this search, and I first wrote the report which was sent to America and translated into English, called "The Death at Katyn."

Mr. FLOOD. Now, Mr. Czapski, where were you when the German announcement of Katyn was made in 1943?

Mr. CZAPSKI. I was at that time with the Polish Army in Iraq, as the Chief of the Propaganda Agency of the Polish Army.

Mr. FLOOD. What was your reaction, and what was the reaction of your fellow Poles, when you heard the German announcement about Katyn?

Mr. CZAPSKI. Naturally, our reaction was that this was done by the Russians. I do not remember that there was any one amongst us who doubted that anyone but the Russians could have done this.

Mr. PUCINSKI. The witness is questioning the German translation of his original answer and states here:

Mr. CZAPSKI. We were fully aware that this could have been an act of the Germans because we knew of the German atrocities, but we knew that in this case this was done by the Russians because we were in Russia and we saw how the Russians had been evacuating these prisoners, and we knew that the Russians did not leave any prisoners to fall into the hands of the Germans.

Mr. MACHROWICZ. Now, Mr. Czapski, in the course of your many months of investigation in this matter, did you find any instances where the families of the officers at these three camps which you mentioned received letters from these people after April or May 1940?

Mr. CZAPSKI. Never; never. We had heard, from time to time, rumors that such letters existed, and we had intensely searched for these letters, and we had found that those letters had never actually existed.

Mr. MACHROWICZ. Now, in April or May 1940, this territory in which these camps were located was in whose hands, German or Russian?

Mr. CZAPSKI. The entire territory was in the hands of the Russians and was separated by hundreds of miles from the German territory, and it wasn't until the summer, or a year later, in the summer of 1941, that the Germans first arrived there.

Mr. DONDERO. Now, Mr. Czapski, have you ever seen or heard of any of these officers and soldiers since April or May 1940?

Mr. CZAPSKI. I have neither seen nor heard of these officers since April of 1940, and I would like to point out here that since my release from Griazovetz the search for these men has been an obsession with me.

Mr. O'KONSKI. Will you state whether you see any similarity in the run-around which you and other Polish officials got from the Russians concerning Polish prisoners of war—do you see any similarity in the run-around which they got to the run-around which the United Nations are getting in Korea in dealing on the same subject?

Mr. CZAPSKI. I have not studied very carefully the situation in Korea, but it seems to me that if a massacre like this could have been perpetrated in Katyn it could also be repeated elsewhere.

Chairman MADDEN. Mr. Czapski, let me say this on behalf of the committee. You have testified here today under rather difficult cir-

cumstances by reason of using two interpreters in recording your testimony. You have reviewed the history of your experiences from back in 1939 on. Would you, from all these experiences, be in a position to say who, what government, is responsible for the massacre at Katyn, in your opinion?

Now briefly, briefly.

Mr. CZAPSKI. First of all, there is no doubt in my mind that these men were murdered by the Soviets.

Chairman MADDEN. I want to thank you for your testimony.

Mr. CZAPSKI. I must state my second point.

Chairman MADDEN. Very well.

Mr. CZAPSKI. Secondly, we keep forgetting that Russia is the most centralized country in the world whenever it comes to issuing orders or directives or policy. Therefore, the full responsibility for this crime does not rest with some NKVD sadist; the full responsibility rests with Beria and Stalin.

Chairman MADDEN. Have you anything further you would want to say before your testimony stops?

Mr. CZAPSKI. I believe not, Mr. Chairman.

Chairman MADDEN. I want to thank you for testifying here today.

Now, on account of the lateness of the hour, we will not have a recess but we will proceed with the next witness, who will not take such a long period of time.

Mr. FLOOD. Mr. Chairman, this committee communicated its request for information to both the Soviet and the Warsaw Polish Governments and, as well, to the Federated Republic of Germany. Since we are now about to begin with the first German witness, I have here the invitation and the reply of the Federal Republic of Germany to the committee in connection with their request for information and cooperation, and at this time I will insert them into the record. They have already been released publicly, and there is no particular reason for taking time to go into them further at this time.

Will you have the stenographer mark the letter of invitation as exhibit 2?

(The document referred to was marked "Frankfurt, Exhibit 2.")

HOUSE OF REPRESENTATIVES,  
SELECT COMMITTEE TO INVESTIGATE THE KATYN FOREST MASSACRE,  
*Washington, D. C., March 18, 1952.*

## EXHIBIT 2

### LETTER OF INVITATION FROM KATYN COMMITTEE

The Honorable CHARGÉ D'AFFAIRES OF THE FEDERAL REPUBLIC OF GERMANY.

MY DEAR MR. CHARGÉ D'AFFAIRES: The House of Representatives of the United States of America on September 18, 1951, unanimously passed House Resolution 390. A copy of this resolution is attached for your information.

This resolution authorizes and directs a committee of Congress to conduct a full and complete investigation and study of the facts, evidence, and extenuating circumstances both before and after the massacre of thousands of Polish officers buried in a mass grave in the Katyn Forest on the banks of the Dnieper in the vicinity of Smolensk, U. S. S. R.

This official committee of the United States Congress respectfully invites the Government of the Federal Republic of Germany to submit any evidence, documents, and witnesses it may desire on or before May 1, 1952, pertaining to the Katyn Forest Massacre. The committee will be in Europe during the month of April to hear and consider any testimony which may be available.

These hearings and the taking of testimony from witnesses are being conducted in accordance with the rules and regulations of the House of Representatives of the United States of America.

Very truly yours,

RAY J. MADDEN,  
*Chairman, Select Committee To Conduct an Investigation and Study of  
the Facts, Evidence, and Circumstances of the Katyn Forest Massacre.*

Mr. FLOOD (continuing). Mr. Chairman, I show you exhibit No. 2-B and ask you whether or not this communication has been in your custody until it was presented to the committee today as the reply from the German Federal Republic to you.

Chairman MADDEN. It has, and we will put that in evidence as exhibit 2-B, together with exhibit 2-A, transmittal letter of the Department of State.

(Exhibit 2-A and 2-B is shown as follows:)

EXHIBIT 2-A

TRANSMITTAL LETTER OF DEPARTMENT OF STATE COVERING GERMAN DIPLOMATIC  
MISSION REPLY TO COMMITTEE

DEPARTMENT OF STATE,  
Washington, March 31, 1952.

The Honorable RAY J. MADDEN,  
*Chairman, Select Committee to Investigate the Katyn Forest Massacre,  
House of Representatives.*

MY DEAR MR. CHAIRMAN: At the request of the Chargé d'Affaires of the Federal Republic of Germany, I am transmitting a letter dated March 31, 1952, addressed to you by the Charge d'Affaires in response to your letter of March 18, 1952.

Sincerely yours,

JACK K. McFALL,  
*Assistant Secretary*  
(For the Secretary of State).

EXHIBIT 2-B

REPLY TO COMMITTEE INVITATION BY DIPLOMATIC MISSION OF THE  
FEDERAL REPUBLIC OF GERMANY

DIPLOMATIC MISSION OF THE  
FEDERAL REPUBLIC OF GERMANY,  
Washington, D. C., March 31st, 1952.

The Honorable RAY J. MADDEN,  
*Chairman, Select Committee to Conduct an Investigation and Study of the  
Facts, Evidence and Circumstances of the Katyn Forest Massacre.*

MY DEAR MR. MADDEN: I have the honor to acknowledge receipt of your letter of March 18, 1952, in which you inform me that the House of Representatives of the United States of America on September 18, 1951, unanimously passed House Resolution 390, which authorizes and directs a committee of Congress to conduct a full and complete investigation and study of the facts, evidence, and extenuating circumstances both before and after the massacre of thousands of Polish officers buried in a mass grave in the Katyn Forest on the banks of the Dnieper in the vicinity of Smolensk, U. S. S. R.

I have transmitted to my Government the committee's invitation to submit any evidence, documents, and witnesses it may desire on or before May 1, 1952, pertaining to the Katyn Forest Massacre. In reply to that invitation I have been instructed to inform you that the Government of the Federal Republic of Germany will be most willing to give any support and assistance within its power to contribute to the committee's investigation. As to the evidence and documents pertaining to the Katyn Forest Massacre which were collected during the war, I may point out that they will not be available as they were taken over by occupation authorities after the war came to an end.

I should therefore like to suggest that a meeting be held between a representative of your committee and this mission to discuss the best means and ways for cooperation in this matter.

Very truly yours,

HEINRICH L. KREKELER.

Chairman MADDEN. Werner Stephan.

Mr. Stephan, would you give your full name, please?

**TESTIMONY OF WERNER STEPHAN (THROUGH THE INTERPRETER,  
DR. MARGA MEIER)**

Mr. STEPHAN. Werner.

Chairman MADDEN. Would you spell that for the record?

Mr. STEPHAN. W-e-r-n-e-r, Stephan, S-t-e-p-h-a-n.

Chairman MADDEN. I understand you have no objection to being photographed.

Mr. STEPHAN. No.

Mr. FLOOD. Has the interpreter been sworn?

Dr. MEIER. No.

Mr. FLOOD. You will be sworn, please.

Chairman MADDEN. Do you solemnly swear that you will interpret the testimony to be given by the witness correctly from German to English and from English to German?

Dr. MEIER. I do.

Mr. FLOOD. What is your name, young lady?

Dr. MEIER. Dr. Marga Meier.

Chairman MADDEN. Now, Mr. Stephan, the counsel will read the statement before you are sworn.

Mr. MITCHELL. Before you testify it is our wish to invite your attention to the fact that under German law you will not be liable for slander or libel either in criminal or in civil proceedings for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as the result of your testimony.

Dr. MEIER. The witness indicated that he understood it.

Mr. FLOOD. Now, will you stand and be sworn, please.

Chairman MADDEN. Raise your right hand.

Do you solemnly swear, in the testimony about to be given, that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STEPHAN. I swear it, so help me God.

Mr. FLOOD. What is your full name?

Mr. STEPHAN. Werner Stephan.

Mr. FLOOD. Were you in any way identified with the former German Government in any official capacity?

Mr. STEPHAN. Yes, I was Ministerialrat; that is, Ministerial Counselor in the Ministry of Propaganda.

Mr. FLOOD. Who was the chief in the Ministry of Propaganda under whom you served?

Mr. STEPHAN. That was Dr. Goebbels.

Mr. DONDERO. What was that answer?

Mr. STEPHAN. Dr. Goebbels.

Mr. FLOOD. Mr. Stephan, I direct your attention to the year of 1943 and ask you whether or not you were identified with the former German Government in that year in the capacity you have just indicated.

Mr. STEPHAN. Yes. At that time I had been working for 14 years for the President of the Reich Government.

Mr. FLOOD. What was your former business occupation?

Mr. STEPHAN. I was a journalist.

Mr. FLOOD. Now I direct your attention to the matter of the Katyn massacre and ask you how that matter first was brought to your attention in your official capacity.

Mr. STEPHAN. During the first days of April 1943, a journalist whom I had known for a very long time came to see me. At that time he was stationed near Smolensk as a soldier, and he came to see me in order to tell me something of great importance.

Mr. MITCHELL. What was his name?

Mr. STEPHAN. His name was Hans Meyer.

Mr. FLOOD. What was his rank and what unit was he connected with in the Germany Army at that time, and where was it located?

Mr. STEPHAN. Meyer had been working for several years as a department chief with the information center and had then been drafted to a press unit near Smolensk.

Mr. FLOOD. What was his business before he entered the armed forces, if you know?

Mr. STEPHAN. He was a journalist, and he belonged to the Deutsche Nachrichten Bureau, which was the official German news agency.

Mr. FLOOD. All right. Tell us what happened, how you became acquainted with the Katyn matter, and what was Meyer's connection with it, so far as you were concerned.

Mr. STEPHAN. Meyer told me that he had to come to Berlin because in the area where he was stationed strange and, as it seemed to him, important things were happening. There had been rumors in this area spread by the Russian population that mass graves of Polish officers were there. Finally higher military commands had gotten knowledge of these rumors, and exhumations had been started. Now, it seemed to him that the whole affair was not started correctly and that the military commands were not aware of the importance of the whole matter. He was afraid that this was a political matter and that the military commands were not fully aware of the importance of this matter, and if there were exhumations carried out at all they had to be taken very seriously and records had to be taken and transcripts made and, if possible or necessary, international agencies or bodies would have to be formed.

Approximately the following: You know yourself, military commands grab everything and want to do everything, and they treat everything as a very secret matter and don't want to have anyone interfere; but really and actually, they don't understand anything about it. That is why Meyer had come to Berlin, because he thought that the political agencies had to be interested because the military commands did not begin it correctly.

Mr. FLOOD. What you mean is that Mr. Meyer was afraid of the Army, that he was afraid of the propaganda value of the discovery; was he not?

Mr. STEPHAN. Yes. Not exactly the propaganda value, but the political value.



Mr. FLOOD. You make a distinction between the two things, do you?

Mr. STEPHAN. Yes. Propaganda may be the utilization which need not necessarily be correct, whereas political evaluation, I think, is a different thing.

Mr. FLOOD. What agency were you working for?

Mr. STEPHAN. With the press department.

Mr. FLOOD. Why did Meyer come to you?

Mr. STEPHAN. Because I was an old acquaintance of his.

Mr. FLOOD. An old friend?

Mr. STEPHAN. Maybe "friend" is saying too much; but we knew each other for quite some time.

Mr. FLOOD. What did he ask you to do?

Mr. STEPHAN. He asked me to get him in contact with the high political agency, and I think that he was thinking in particular of Dr. Goebbels.

Mr. FLOOD. Did he ask especially about Dr. Goebbels?

Mr. STEPHAN. He did also ask for Dr. Dietrich, who was at that time press chief of the Reich Government.

Mr. FLOOD. What did you do?

Mr. STEPHAN. Dietrich was at that time in the Fuehrer headquarters and therefore could not be reached. So I went to Goebbels' office and told them roughly what had happened. I told them in particular that Meyer asked to be received by Goebbels.

Mr. FLOOD. What arrangements did you make?

Mr. STEPHAN. I was first asked whether this man was really serious, because what I had told them briefly seemed rather sensational and, on first sight, not very credible. I told them that Meyer was a serious and reliable man and a good and well-proved journalist and that there were no objections to his being received. Thereupon, there was a reception with Dr. Goebbels.

Mr. FLOOD. Were you present?

Mr. STEPHAN. No; I was not.

Mr. FLOOD. Did Meyer ever report to you after he talked to Dr. Goebbels?

Mr. STEPHAN. Yes; he did. He came to me immediately after the reception and told me how the conversation had developed.

Mr. FLOOD. Could you tell us the day and the month and the year of Meyer's meeting with Goebbels?

Mr. STEPHAN. I should assume that it was the 1st or 2d of April 1943.

Mr. FLOOD. Will you give us the gist of Meyer's report to you after his meeting with Goebbels on this subject?

Mr. STEPHAN. Of course, I can do that only in very general terms, because 9 years have passed since then, and at that time I did not think or assume that I would ever have to testify as to that before an American commission.

Mr. FLOOD. Do you want to try?

Mr. STEPHAN. Yes.

Mr. FLOOD. Go ahead.

Mr. STEPHAN. Of course, it can only be a general impression. Meyer said approximately that Dr. Goebbels was extremely surprised. If I am permitted to say it less seriously, I should like to say he could

hardly believe the fortune that had occurred to him. He was so very much surprised that such an important news should just come to him.

Several days passed and, as far as I know, Dr. Goebbels went to Hitler during these days, as he frequently did, and he reported to Hitler concerning this matter. And upon his return, he had the satisfaction, which was always felt during the Third Reich, that if, in a struggle of certain contests you were victorious over a rival, and in this case your rival was the army, the armed forces, and Dr. Goebbels had received authority to take over the case and the armed forces had to transfer the matter to him.

Mr. FLOOD. Where is Meyer today, if you know?

Mr. STEPHAN. As far as I know, he fell in action in Berlin in 1945.

Mr. FLOOD. And that, Mr. Stephan, is your connection with the official communication?

Mr. STEPHAN. Yes, that is all.

Mr. MACHROWICZ. Mr. Stephan, could you tell us whether Meyer told you when the German Army first learned of the presence of these graves?

Mr. STEPHAN. I think I have to make a distinction between the rumors and the time when these rumors were taken seriously. The rumors must have been there for quite some time, but the relationship between the Russian population and the German soldiers in this area was not particularly cordial, and the Russians obviously were shy and did not dare tell the official German agencies of these occurrences. But when the matter finally became official, I do not think that very much time elapsed until the time when he came to Berlin.

If I may estimate it roughly, I would say it would be about 2 weeks—14 days.

But I am sure that the German officers who will testify here also and who were stationed in this area will be in a much better position to testify as to that.

Mr. MACHROWICZ. Just one other question.

To the best of your knowledge, was Mr. Meyer's information to the Minister of Propaganda the first information that had been received on the existence of these graves?

Mr. STEPHAN. Yes. I am convinced of that.

Mr. DONDERO. Mr. Stephan, did you see the graves at Katyn?

Mr. STEPHAN. No. I have never been in that region.

Mr. DONDERO. That is all, Mr. Chairman.

Chairman MADDEN. Are there any further questions?

Mr. Stephan, we want to thank you for coming here this afternoon and testifying.

That is all.

The next witness is Col. Albert Bedenk.

**TESTIMONY OF COL. ALBERT BEDENK, JOHANNISBERG IM RHEINGAU, GERMANY (THROUGH INTERPRETER ECKHARDT VON HAHN)**

Chairman MADDEN. Will you just give your name?

Colonel BEDENK. Albert Bedenk.

Chairman MADDEN. Will you give us your address, please?

Colonel BEDENK. Albert Bedenk; 55 years old; Johannisberg im Rheingau.

Chairman MADDEN. Mr. Bedenk, the counsel will read a statement to you and then the interpreter will repeat it. You can sit down while the counsel is reading it.

Mr. MITCHELL. Before you testify, it is our wish to invite your attention to the fact that, under German law, you will not be liable for slander or libel, either in criminal or civil proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as the result of your testimony.

Colonel BEDENK. I understand.

Mr. FLOOD. Does the witness understand the admonition?

Colonel BEDENK. Yes.

Chairman MADDEN. Will you stand and raise your right hand?

Do you solemnly swear that you will testify to the truth, the whole truth, and nothing but the truth; so help you God?

Colonel BEDENK. I swear, so help me God.

Chairman MADDEN. Congressman Flood, proceed.

Mr. FLOOD. What is your name?

Colonel BEDENK. Albert Bedenk.

Mr. FLOOD. Were you at any time ever identified with the German armed forces?

Colonel BEDENK. I was a German soldier from 1914 to March 28, 1946.

Mr. FLOOD. Directing your attention to the outbreak of hostilities between Germany and Soviet Russia, in what rank and capacity were you serving at that time?

Colonel BEDENK. In October 1940 I took over the Signal Regiment 537, with the rank of lieutenant colonel and was commanding officer of the regiment to November 21, 1941.

Mr. FLOOD. Directing your attention to the hostilities on the eastern front, were you ever, in your official capacity, in the armed services, serving in that area?

Colonel BEDENK. Yes; I was. I went to that area as regimental commander of the Signal Regiment No. 537, and it was my duty to arrange all the communications between the various armies belonging to the central Army group.

Mr. FLOOD. Did you ever serve in the area of Smolensk in that capacity?

Colonel BEDENK. Yes, I did.

Mr. FLOOD. Will you tell us when you first entered the Smolensk area, from where you came, and when you got there?

Colonel BEDENK. The staff headquarters of the center army group was located in Borissow from July to approximately September 20, 1941.

Mr. FLOOD. When did you move into Smolensk?

Colonel BEDENK. During all the fighting around Smolensk, the army group had been thinking of where they could possibly get billets, and then they had decided on the area of Smolensk, to set up their headquarters there. Through this I had the opportunity of getting to Smolensk first because I had to see that all communications would be

established by the time the army group would move into the area, so that they would find all the communications ready and at their disposal, in proper working order.

Mr. FLOOD. How close was your movement behind the lines of the actual combat forces in that area on the day you got there?

Colonel BEDENK. Smolensk had already been taken some time ago, and the first-run troops had already gone as far as Vyazma, hundreds of kilometers east of Smolensk, in the direction of Moscow. The first time I got to that area was on July 28-29, 1941. On that day I had a conversation. It was with the signal chief of the army, not of the army group—at that time, still Col. General von Kluge. I had to supervise the work of my construction companies, who were establishing all the communications, and went right into the Smolensk area and surveyed the whole area.

Mr. FLOOD. What was the name of the chief military unit in the Smolensk area, and who was the commanding general?

Colonel BEDENK. It was the center army group, under the command of Field Marshal von Bock.

Mr. FLOOD. What was the capacity of General von Kluge at that time?

Colonel BEDENK. At that time, General von Kluge was commander in chief of the fourth army, belonging to the center army group.

Mr. FLOOD. How many armies were in that army group under Bock?

Colonel BEDENK. At the time of the advance, we had four armies within the center army group.

Mr. FLOOD. Where was von Kluge's headquarters set up with relation to the city of Smolensk?

Colonel BEDENK. It was located west of Smolensk to the south of the River Dneiper.

Mr. FLOOD. Who was the communications chief?

Colonel BEDENK. Major General Gercke.

Mr. FLOOD. Who was your immediate superior?

Colonel BEDENK. Major General Oberhaeuser.

Mr. FLOOD. Who was chief of intelligence in the Smolensk area at that time, if you know?

Colonel BEDENK. They did not have a direct chief of intelligence, but they had a 1-C, as he was called in the German Army.

Mr. FLOOD. Who was that?

Colonel BEDENK. At that time, still Lieutenant Colonel von Gersdorff; later on, major general.

Mr. FLOOD. Where did you set up your regimental command headquarters?

Colonel BEDENK. I put my regimental staff into a building approximately 4 kilometers west of the headquarters of the staff of the Center Army Group, in a house which was right on the banks of the River Dneiper.

Mr. FLOOD. Did the building in which your staff was housed have any particular name in the area?

Colonel BEDENK. There was some talk in the region that the building had been sort of a recreation home for the commissars in Smolensk.

Mr. FLOOD. What did the people in the area call the place? Did it have any particular name of any kind?

Colonel BEDENK. There was some talk of the G. P. U. house.

Mr. FLOOD. Did you ever hear of a place called either the "Little Dnieper Castle" or the "Dnieper Castle," or the "Red Castle"?

Colonel BEDENK. No.

Mr. FLOOD. Did you ever hear of the forest or the town of Katyn?

Colonel BEDENK. Yes; because we were actually billeted in the forest of Katyn.

Mr. FLOOD. Do you mean this regimental staff headquarters that you just described was actually in the forest of Katyn?

Colonel BEDENK. Yes, I do.

Mr. FLOOD. What was the name and number of your regiment at that time?

Colonel BEDENK. The official designation was Signal Regiment 537 of the Center Army Group.

Mr. FLOOD. And you were the first colonel to take that outfit into the Katyn Forest, were you not?

Colonel BEDENK. Yes, I was.

Mr. FLOOD. When did you get there?

Colonel BEDENK. We transferred from Borrisow with the regimental staff approximately in the middle of August. It may have been the beginning; approximately the middle.

Mr. FLOOD. When did you turn over the command of that regiment to your successor?

Colonel BEDENK. Colonel Ahrens came out to the eastern front on October 20, 1941, and during the period from between October 20 and November 20, I told my successor, who at that time was still Lieutenant Colonel Ahrens, all he ought to know about things there, and actually prepared him for his new job.

Mr. FLOOD. On what date did you turn it over to Colonel Ahrens?

Colonel BEDENK. I did not actually hand over on a specific day; this handling over business stretched over a whole month.

Mr. FLOOD. When did you relinquish the command of the regiment?

Colonel BEDENK. On the 20th of November 1941.

Mr. FLOOD. How many men did you have on your staff when you were in this headquarters in the Katyn Forest—with particular attention to the number of officers and noncommissioned officers?

Colonel BEDENK. The total strength was approximately 17, of which 5 or 6 were officers and 4 were noncommissioned, and the rest enlisted men.

Mr. FLOOD. About how many enlisted men did you have serving at the staff headquarters?

Colonel BEDENK. For security reasons, to do guard duty, I had requested and received two postal constructural units, which actually belonged to the regiment, and they had been detailed to my staff headquarters.

Mr. FLOOD. I do not mean that kind of personnel; I mean enlisted personnel actually on the staff at headquarters.

Colonel BEDENK. I don't remember the actual numbers; some drivers and cook and "flunkey."

Mr. FLOOD. How many? Can you give us an educated guess.

Colonel BEDENK. About 9 or 10 men, including NCO's.

Mr. FLOOD. Did you have any natives of the area, Russian peasants, male or female, working in any capacity at the staff headquarters?

Colonel BEDENK. I had brought with me from Borrisow three Russian POW's, one a carpenter, the other two, agricultural laborers who had been working for me, and I took them along to Katyn, to my staff headquarters.

Mr. FLOOD. Did you employ any natives of the immediate area of Katyn, of Smolensk?

Colonel BEDENK. Yes, I did. First, for kitchen duty, I had taken on some women from Smolensk, and later on, some women from the near vicinity, because Smolensk was too far away.

Mr. FLOOD. Will you describe, in as complete detail as you recall, the physical lay-out of this building, which was your regimental staff headquarters?

Colonel BEDENK. The building was located approximately 1,000 to 1,200 meters away from the highway, right on the banks of the Dnieper River.

Mr. FLOOD. Between what two big towns nearest did the highway run?

Colonel BEDENK. The two towns were Orscha and Smolensk.

Mr. FLOOD. Did it appear to be a new highway, or an old highway, a new road or an old one?

Colonel BEDENK. It was an old road.

Mr. FLOOD. Tell us more about the layout of this building inside and outside, around the area.

Colonel BEDENK. It was a double-story house. It was surrounded by continuous balconies right around the building, on both floors. There was a main building and some outbuildings. On the lower floor there were 2 very large rooms measuring approximately 20 by 40 feet each, and 4 or 5 smaller rooms. The upper floor had only one of those large rooms, the same mentioned as downstairs, and also 4 or 5 smaller rooms, which could have been used as guest rooms.

The main outbuilding contained the kitchen and a number of smaller rooms, 6 to 8 of them, not of equal size, some smaller, others a bit larger, which could also accommodate several people, up to 4 people, for instance, overnight.

Mr. FLOOD. How far was the house from the highway?

Colonel BEDENK. As I said before, between 1,000 and 1,200 meters.

Mr. FLOOD. Do you know of the station or the town of Gniezdowo?

Colonel BEDENK. I don't remember it.

Mr. FLOOD. How far was the house from the city or the town of Smolensk?

Colonel BEDENK. Approximately 8 to 9 kilometers—that is five to six miles.

Mr. FLOOD. How far was the house from the town or the village of Katyn?

Colonel BEDENK. Between 4 and 5 kilometers, about—about 13 or 14 kilometers.

Mr. FLOOD. Will you describe just briefly the area in the forest within 500 meters of the house?

Colonel BEDENK. The house, as seen from the highway, was located in a dense pine forest. Partly it was mixed forest. There were no clearings, that I noticed. It was a typical Russian forest, not well kept, just the ordinary Russian forest.

Mr. FLOOD. The witness shows the committee a small photograph, which indicates in the front of the photograph a river, with a wooded shore on an elevation of about 15 degrees, and, on the top, what appears to be a fairly large-sized wooden building, with a castle-like tower on the left.

I am not concerned so much with the appearance of the forest between the house and the river; I am concerned now with the appearance of the forest within 1,000 meters on the other three sides.

Colonel BEDENK. The house was also surrounded on the other three sides by a dense mixed forest, pines and also evergreen trees.

Mr. FLOOD. Did you ever take any walks in the forest for recreation or other purposes during the period you were there?

Colonel BEDENK. Yes, I did.

Mr. FLOOD. Alone, or with others?

Colonel BEDENK. I frequently took walks with General Oberhaeuser whenever we had something to discuss with reference to our duties.

Mr. FLOOD. During the course of those walks in any part of the Katyn woods in any area of this house, did you ever see any mounds of any kind or earth piles of any sort that attracted your attention?

Colonel BEDENK. On the occasion of such walks, both I and General Oberhaeuser did notice some small mounds, which were about 1 to 2 meters long—that is, 3 to 6 feet long—and about 3 centimeters—that is one foot—high. But altogether, the country was slightly undulating.

Mr. FLOOD. How far, if you recall, from the headquarters house were any of these mounds of earth?

Colonel BEDENK. Between 80 and 150 meters.

Mr. FLOOD. Did they resemble in any way freshly dug graves or earth piled up over freshly dug graves?

Colonel BEDENK. No. We never had that impression.

Mr. FLOOD. Did you or General Oberhaeuser ever comment to each other or to anybody else, that you recall, in connection with those mounds or graves?

Colonel BEDENK. No, we did not, either.

Mr. FLOOD. Were there any odors of any kind emanating from the area, that were particularly noxious, if you recall, that you noticed?

Colonel BEDENK. No. If I had noticed anything like that I would never have set up my staff headquarters there.

Mr. FLOOD. If there had been any you would have noticed it, would you not?

Colonel BEDENK. Yes; definitely.

Mr. FLOOD. During the time when you first moved into the Katyn area, did you see or have any reports of Polish prisoners at that time?

Colonel BEDENK. I never heard anything of that kind.

Mr. FLOOD. Did you see any Polish prisoners in the area yourself?

Colonel BEDENK. No, I did not.

Mr. FLOOD. Did you occupy any Russian prison camps?

Colonel BEDENK. No, I did not. I never saw a prison camp.

Mr. FLOOD. You told me that you had some Russians from the area who were working in your staff headquarters somehow or other, domestic workers.

Colonel BEDENK. Yes, that is correct.

Mr. FLOOD. And you said that you had several Polish POW's working around there.

Colonel BEDENK. Not Polish ones; Russian POW's.

Mr. FLOOD. Did you have any conversations, or did you not hear from any of the people that worked for you, or any of your soldiers or anybody, at any time, any stories about Polish prisoners or Poles being killed, or anything of that kind?

Colonel BEDENK. My Russian prisoners told me that they had been told by Russian civilians of that area that shooting had taken place in the Katyn Forest, a lot of shooting, but they never referred to any Polish prisoners having been shot.

Mr. FLOOD. Did you ever receive, from any German superior officer, or did you ever hear of orders issuing through the German command, to kill Polish officers or commissars or Russian officers or commissars?

Colonel BEDENK. No, never.

Mr. FLOOD. You never heard discussed, at any time from higher echelons, any discussion or question among your brother officers about orders from superior German command for that purpose?

Colonel BEDENK. No, never.

Mr. FLOOD. Did you ever order any Polish prisoners killed yourself?

Colonel BEDENK. No, I never saw any.

Mr. FLOOD. Who was Von Eichborn?

Colonel BEDENK. Von Eichborn was communications expert with the Chief of Communications of the Central Army Group.

Mr. FLOOD. Was he ever stationed with you at your regimental staff headquarters, in residence?

Colonel BEDENK. Von Eichborn did not live at my staff headquarters. He lived about four kilometers away, but very frequently came to my staff headquarters because I also had an officer working on the same thing, also an expert on communications, and these two had to do quite a bit of work together.

Mr. FLOOD. Who was Lieutenant Hodt?

Colonel BEDENK. First Lieutenant Hodt was sometimes detailed to my staff from one of the companies as orderly officer attached to me.

Mr. FLOOD. As an experienced colonel in the army at that time, if you knew or had heard that there were graves or a grave containing several thousand bodies in a certain place in a forest, would you have placed your regimental staff command residence within 50 to 100 kilometers of that spot, had you known?

Colonel BEDENK. No, I would not.

Mr. FLOOD. Did you ever put up or give quarters to any groups of German soldiers of any other outfits, up to the number of 25 or 30, during the entire period you were at the staff headquarters?

Colonel BEDENK. No, never. I never had any other troops there.

Mr. FLOOD. Were there any Einstazgruppe Kommandos in your area in Smolensk when you moved in?

Colonel BEDENK. I am unable to say. I don't know. I didn't see any.

Mr. FLOOD. What were the general security orders, if any, that you gave in the area of your regimental staff headquarters?

Colonel BEDENK. In the daytime, I had a double guard posted on the highway at the spot where the road to my house branched off.

Mr. FLOOD. Why?



Colonel BEDENK. First of all, for the purpose of catching units of my regiment, or dispatch riders, or officers looking for me, to put them on the right road to my house, because the house was so hidden among the trees that it could not be seen from the highway.

Mr. FLOOD. How many guards in any one day, in any period of time you were there, would you have posted?

Colonel BEDENK. In daytime, I had only those two guards posted at the highway, and, at night, I had a patrol of two men going around the house all the time.

Mr. FLOOD. Did you ever throw up a cordon of armed guards in the entire forest area with relation to the highway, the river, 1,000 meters from the house, your house, at any time you were there?

Colonel BEDENK. No, never.

Mr. FLOOD. Was the area verboten to everybody, including civilians?

Colonel BEDENK. The area was not a verboten area. It was all open, particularly in view of the fact that near the house there was a crossing point for the river where the peasants used to cross over in boats, and there was always some civilian traffic passing by.

Mr. FLOOD. Was there much traffic, military or civilian, or both, on the highway passing in both directions within 1,000 meters of your house during the time you were there?

Colonel BEDENK. During the first time, in August and September, traffic was very heavy.

Mr. FLOOD. Day and night?

Colonel BEDENK. Day and night.

Mr. FLOOD. Did you have any electric lights or any kind of high-powered lights erected on trees in the area of your headquarters or within 1,000 meters of your headquarters in the forest in any direction?

Colonel BEDENK. No, we had no electric lights at all.

Mr. FLOOD. Did you ever have any staff conferences as high as division or group level at your headquarters while you were there?

Colonel BEDENK. Yes, there was one conference in September when all of the communications chiefs of the army group were convoked to my staff headquarters for a conference.

Mr. FLOOD. Was your outfit armed?

Colonel BEDENK. Yes, it was.

Mr. FLOOD. What did they carry?

Colonel BEDENK. Carbines, and the postal construction companys only carried pistols.

Mr. FLOOD. What did the NCO's carry?

Colonel BEDENK. They only had pistols.

Mr. FLOOD. How many NCO's did you have at your staff headquarters carrying pistols?

Colonel BEDENK. Six or eight.

Mr. FLOOD. Who were these postal workers you are talking about?

Colonel BEDENK. They were half civilians and half soldiers.

Mr. FLOOD. What kind of bread is that?

Colonel BEDENK. They were construction groups, civilians employed by the German Reich Post and working on the telephone and telegraph lines, and were detailed from the postal authorities to the

army and had been put in uniform and were doing the same work out there that they were doing at home in ordinary times.

Mr. FLOOD. You mean the post office just turned them over to the army en masse and the army put uniforms on them, and there they were?

Colonel BEDENK. Not quite as roughly as that. As long as the German Army was still within the territory of the former Reich, the postal authorities were still running all these lines and looking after them, and so they were just attached to whichever regiment or division was there.

Mr. FLOOD. You wouldn't call them very skilled marksmen, would you?

Colonel BEDENK. Probably there must have been a number of old soldiers among them.

Mr. FLOOD. Among the postal workers?

Colonel BEDENK. Yes.

Mr. FLOOD. Now, Colonel, the Soviet report on a commission convened by the Soviet to investigate the Katyn massacres, and the indictment at Nuremberg of one Goering, which contained the Katyn matter, and the Soviet prosecution of that indictment at the Nuremberg trials, charged that these murders were committed by Construction Regiment 537 under the command of a Colonel Ahrens.

Colonel BEDENK. This accusation is wrong in every detail.

Mr. FLOOD. When did Colonel Ahrens take over from you, to repeat for the record?

Colonel BEDENK. Colonel Ahrens took over the regiment from me on November 20, 1941.

Mr. FLOOD. So, Colonel Ahrens was not in command in that area for several months prior to November, was he?

Colonel BEDENK. That's correct. He took over the regiment on November 20 although he had already arrived one month prior to that date, October 20, in order to get ready and to know about things and what duties he would have, and he had no executive power.

Mr. FLOOD. According to the Soviet report and the Soviet prosecution at Nuremberg, these murders were committed during a time and by a regiment of the same number as yours during the period of time when you were in command in that area.

Colonel BEDENK. I know that the Soviets came out with this accusation.

Mr. FLOOD. I ask you two final questions:

Did you receive or give any orders for the execution of any prisoners of war, particularly Polish officers, in the Katyn Forest during the time you were in command there?

Colonel BEDENK. No.

Mr. FLOOD. If any such executions or murders had taken place, being done by anybody else, especially Germans, day or night, in that area during the period of time you were in command, could it possibly have been done without your knowing or hearing about it?

Colonel BEDENK. If any firing had taken place at all, I would have known about it immediately because it would have been reported to me straight away.

Mr. FLOOD. Did you see any executions? Did you ever hear of any such executions, or were reports of any ever made to you?

Colonel BEDENK. No. The first I heard about the shooting of these Polish officers was after the graves had been opened.

Mr. FLOOD. What was the answer to my question—yes or no?

Colonel BEDENK. No.

Mr. FLOOD. That's all.

Mr. MACHROWICZ. Are you now serving in any capacity for the German Government?

Colonel BEDENK. No. I am war disabled and live on a pension.

Mr. MACHROWICZ. Have you, before you were called to this committee, consulted with anyone regarding your testimony?

Colonel BEDENK. No, I did not.

Mr. MACHROWICZ. Have you been instructed by anyone other than this committee in any way regarding your testimony today?

Colonel BEDENK. No, by nobody.

Mr. MACHROWICZ. Have you read the official Russian report on the Katyn Forest?

Colonel BEDENK. I merely read the articles which were published in the periodical Spiegel and in the Schwabischer Nachtrichter, and found quite a few details were incorrect in them.

Mr. MACHROWICZ. Did you notice in that official Russian report the statement that the building you described as your headquarters was used as a place of orgy for German officers?

Colonel BEDENK. No.

Mr. MACHROWICZ. Did you read that report?

Colonel BEDENK. No, I never read it.

Mr. MACHROWICZ. Do you know Oberleutnant Rekst?

Colonel BEDENK. Rekst was my regimental adjutant and he was also regimental adjutant at the time of Colonel Ahrens.

Mr. MACHROWICZ. Do you know that a Russian official by the name of Anna Aleksiejewa stated in her affidavit in the Russian report that Oberleutnant Rekst was the adjutant of Colonel Ahrens? Is that true?

Colonel BEDENK. Yes.

Mr. MACHROWICZ. Do you know Lieutenant Hodt?

Colonel BEDENK. Yes, I do.

Mr. MACHROWICZ. Was he under your command?

Colonel BEDENK. Yes, he was in my regiment.

Mr. MACHROWICZ. And also a man by the name of Lumert?

Colonel BEDENK. That was the staff corporal sitting in the regimental office doing the secretarial work. Later on, he was made an officer, but not at that time.

Mr. MACHROWICZ. I'll mention a few other names she noted in her affidavit and ask you if you remember them.

Rose, who had charge of the electric plant.

Colonel BEDENK. That's possible. We had a pumping station. It might be this one here on this picture.

Mr. FLOOD. The witness shows the committee a picture of what is obviously a pumping house or power house, with two soldiers standing there, obviously employed in some capacity with that machinery.

Mr. MACHROWICZ. Was Oberleutnant Ahrens in the Katyn area at the same time you were?

Colonel BEDENK. Yes, he was there for one month together with me, from October 20 to November 20. I left the area after handing over the regiment to him on November 21.

Mr. MACHROWICZ. Did you have a man there whom you used as an interpreter whose first name was Johann?

Colonel BEDENK. That might have been my flunky, but his first name was Josef.

Mr. MACHROWICZ. For your information, Aleksiejewa claims that Johann, at the request of Ahrens, instructed the peasants in the area not to say anything about the shooting they had been hearing while you were in charge. Is there any truth in that statement?

Colonel BEDENK. I do not know, but it is possible, in my opinion, that this Johann or Josef was later on taken into the staff of the regiment, but that was after I had gone, so I do not know about that.

Mr. MACHROWICZ. You have testified previously that you were told by some of the local people that shootings had taken place in this forest, is that correct?

Colonel BEDENK. Yes, that's correct.

Mr. MACHROWICZ. Did they tell you when those shootings had been taking place?

Colonel BEDENK. No, they did not give any details.

Mr. MACHROWICZ. Didn't you consider it important to inquire?

Colonel BEDENK. No, for the simple reason that I assumed that all this shooting was in connection with the fighting that had taken place around about there—that they meant that.

Mr. MACHROWICZ. Didn't these mounds that you saw in the area stir any suspicion in your mind?

Colonel BEDENK. No, none.

Mr. MACHROWICZ. Did you ever investigate what those mounds were there for?

Colonel BEDENK. No, I didn't, because I wasn't interested in that.

Mr. MACHROWICZ. Did you find in the area of Katyn within, say, ten or twelve kilometers, any encampments?

Colonel BEDENK. I didn't find any encampment in my region, but it is possible that where the army group was billeted, that being old army territory, there might have been some encampment, and something was being said about a childrens' recreational institution located in that area before the war.

Mr. MACHROWICZ. The Russians claimed that there were three camps within a close proximity of this Katyn Forest and that the Polish officers were located in these three camps and were left behind them when the Germans advanced forward. Now, do you know anything about the existence of any camps which might answer that description?

Colonel BEDENK. I never saw any such installations which might have been camps.

Mr. MACHROWICZ. You had charge of communications for how many miles in that area?

Colonel BEDENK. My communications stretched over hundreds of kilometers, as far as Vyazma and Orel and north to the Ninth Army and even to a tank army that was operating hundreds of kilometers away.

Mr. MACHROWICZ. If there were any camps of that type near the railroad line wouldn't you have known about them?

Colonel BEDENK. Along the railroad lines, no, because we never used the railroad. We had nothing to do with them.

Mr. MACHROWICZ. If they were along the lines of communication, would you have known?

Colonel BEDENK. But we had only something to do with communications.

Mr. MACHROWICZ. Do you know what the first railroad station is, west of Smolensk?

Colonel BEDENK. I do not recollect exactly. Something like Krosny Bor, I believe.

Mr. MACHROWICZ. Do you remember what the second station was?

Colonel BEDENK. I do not recollect. I was never on the railroad, so I do not know.

Mr. MACHROWICZ. Does the name Gniezdowo bring any recollection to you?

Colonel BEDENK. The village of Gniezdowo was near this highway and near Katyn.

Mr. MACHROWICZ. Did you ever return to the place where the graves were, after you had left there in November?

Colonel BEDENK. Yes, I returned to this area in August 1943, to check out with General Oberhaeuser because I had been transferred at that time.

Mr. MACHROWICZ. Was that after the graves were found?

Colonel BEDENK. Yes, after the graves had been found and after the exhumations had taken place and the whole business was finished.

Mr. MACHROWICZ. Did you see any of the bodies?

Colonel BEDENK. No, everything was closed up by the time I got there.

Mr. MACHROWICZ. What kind of soil was there in this forest?

Colonel BEDENK. As far as I know and remember, sandy soil.

Mr. MACHROWICZ. Was it a light soil or a dark soil?

Colonel BEDENK. A light colored soil, and light soil.

Mr. MACHROWICZ. I believe you testified also, previously, that it was a dense forest, is that correct?

Colonel BEDENK. Yes. In parts the forest was very dense, and it was mostly young trees in those parts.

Mr. MACHROWICZ. In the parts which you later learned the graves were found, was it thick or thin?

Colonel BEDENK. I don't know where the graves are, because I never went there.

Mr. MACHROWICZ. You were there in August 1941, just a few months after they were exhumed?

Colonel BEDENK. Only in the area to report to General Oberhaeuser, who was living 4 kilometers away from that spot. I didn't go to the graves.

Mr. MACHROWICZ. Well, because of the fact that you had previously been in that area in 1941, didn't it interest you to find out where those graves were found?

Colonel BEDENK. No. We were in a very great hurry because we were being transferred with the whole staff headquarters of the Army to the Balkans, and we had to hurry to Smolensk to catch a plane to be flown down to the Balkans, so we were in a very great hurry.

Mr. MACHROWICZ. Did you ever employ 500 Russian prisoners of war in the work in the Katyn forests?

Colonel BEDENK. No.

Mr. MACHROWICZ. Are you familiar with the fact that in the Russian charge it is claimed that the officer in command hired 500, or rather, employed, 500 Russian prisoners of war to help dig the graves?

Colonel BEDENK. No, I don't know.

Mr. MACHROWICZ. At any rate, during the time that you were there you claim you never employed 500 Russian prisoners of war or any figure near that?

Colonel BEDENK. The most I ever employed were 3 prisoners I always had there, that I brought along from Borisow.

Mr. MACHROWICZ. I think you mentioned before that Rose was one of the officers in your detachment.

Colonel BEDENK. I don't know Rose.

Mr. MACHROWICZ. You never heard the name Rose?

Colonel BEDENK. No.

Mr. MACHROWICZ. Was there a mechanic employed by you by the name of Greniewski?

Colonel BEDENK. I don't know, but not at my time; definitely not.

Mr. MACHROWICZ. The reason I ask you that question, witness, is because in the Russian charge one Michailowa claims that when she and some others came near the place where the graves were subsequently found, a noncommissioned officer Rose and a mechanic Greniewski chased them away and threatened them if they came near that scene.

Colonel BEDENK. I know nothing about that. The name of Rose is unknown to me, and the name of Greniewski too. That must have happened after I had gone away from there, if it happened.

Mr. MACHROWICZ. The name "Greniewski" is spelled G-r-e-n-i-e-w-s-k-i.

Who was your billeting officer?

Colonel BEDENK. At that time it was a Captain of the reserves, Emil Schaeffer.

Mr. MACHROWICZ. Who was Irvin Algier?

Colonel BEDENK. I don't know him.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Any further questions?

Let me ask you this. I don't think you have testified to it.

Oh, pardon me; go ahead.

Mr. O'KONSKI. As the Germans started their offensive against the Russians, was it the policy of the Russians to leave behind any amount of able-bodied men, whether they were Poles, Lithuanians, Latvians, Estonians, or Russians?

Colonel BEDENK. I don't know anything about that, as I was never with the first fighting troops, or with the first-line troops.

Mr. O'KONSKI. Do you know any order of any disposition that might have been made in case they did, for instance, capture 15,000 Polish officers?

Colonel BEDENK. No.

Mr. O'KONSKI. Just one more question.

If disposition had been made of some 15,000 Polish officers, with the German economy as it was at that time is there any likelihood that the Germans would have done them the honor of burying them with brand new overcoats and a brand new pair of boots? Or do you think that those might have been removed?

Colonel BEDENK. I cannot answer that question. I don't know how to answer that question.

Mr. MACHROWICZ. In the Russian charge there are also affidavits of about 4 or 5 local people who testify under oath that in the fall of 1941 they frequently heard much shooting in those forests. Was there any shooting going on in that forest at that time?

Colonel BEDENK. No, there was no firing going on whatever in the fall of 1941.

Mr. MACHROWICZ. You were there during all of the fall of '41, were you not?

Colonel BEDENK. I spent the whole fall of '41 there.

Mr. MACHROWICZ. And were you in charge?

Colonel BEDENK. Yes, I was in charge.

Mr. MACHROWICZ. Up to November of that year?

Colonel BEDENK. Yes.

Mr. MACHROWICZ. The charge also states that some of those shootings took place in the beginning of September of 1941. Do you know anything about that?

Colonel BEDENK. I cannot understand that; I know nothing about it.

Mr. MACHROWICZ. The witness Aleksiejewa also charged in her affidavit that she herself saw, in the fall of 1941, while she was on her way to work, how the German officers sent a great number of Polish prisoners to the forests and later several shots were heard. Do you know anything about that incident?

Colonel BEDENK. That is a clear invention. That is impossible.

Mr. MACHROWICZ. Did you ever read these affidavits?

Colonel BEDENK. No, never.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. I don't think you mentioned the size of this Katyn Forest. How large was this forest area? How large?

Colonel BEDENK. It was about 1200 meters from the high road to the house. There was dense forest on both sides, but it was generally called the Katyn Forest. But how large that forest was, and how far——

Chairman MADDEN (interposing). How many meters thick, through it?

Colonel BEDENK. I don't know, because I never went to the other end of the forest.

Chairman MADDEN. Are there any further questions?

(No response.)

Chairman MADDEN. Colonel, we are very thankful to you for coming here and testifying today.

The Committee will now adjourn until 10 o'clock tomorrow morning. (Whereupon at 5:50 p. m. Monday, April 21, 1952, a recess was taken until 10 a. m., Tuesday, April 22, 1952.)

# THE KATYN FOREST MASSACRE

TUESDAY, APRIL 22, 1952

HOUSE OF REPRESENTATIVES,  
THE SELECT COMMITTEE ON THE KATYN FOREST MASSACRE,  
*Frankfurt/Main, Germany.*

The committee met at 10 a. m., pursuant to call, in the Main Courtroom, Resident Officer's Building, 45 Bockenheimer Anlage, Hon. Roy J. Madden (chairman) presiding.

Present: Messrs. Madden, Flood, Machrowicz, Dondero, and O'Konski.

Also present: John J. Mitchell, chief counsel to the select committee, and Eckhardt von Hahn, interpreter.

(The proceedings and testimony were translated into the German language.)

Chairman MADDEN. The hearings will come to order.

Mr. Mitchell, who is the next witness?

Mr. MITCHELL. General Oberhaeuser.

Chairman MADDEN. Will you give your full name and address to the reporter?

General OBERHAEUSER. Eugen Oberhaeuser, Memmelsdorf, Oberfranken.

## TESTIMONY OF EUGEN OBERHAEUSER

Chairman MADDEN. Counsel will read the statement to the witness.

Mr. MITCHELL. Before your testimony, it is our wish to invite your attention to the fact that under German law you will not be liable for slander or libel, either in criminal or in civil proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as the result of your testimony.

General OBERHAEUSER. Yes.

Mr. FLOOD. Let the record show that the witness understands the admonition.

Chairman MADDEN. The witness will be sworn.

Do you solemnly swear, by God the Almighty, that you will testify as to your own knowledge and tell the truth, the whole truth, and nothing but the truth, so help you God?

General OBERHAEUSER. I swear, so help me God.

Mr. FLOOD. What is your full name?

General OBERHAEUSER. Eugen Oberhaeuser.

Mr. FLOOD. Were you, at one time, identified with the German armed forces?



General OBERHAEUSER. Yes, I was an officer of the permanent forces.

Mr. FLOOD. What was your rank and what was the nature of your command in 1941?

General OBERHAEUSER. I held the rank of lieutenant general and was the chief of communications of the central army group.

Mr. FLOOD. Could that be referred to and could your status be referred to as nachtrichten commander of the army group?

General OBERHAEUSER. It could be called that. Our designation was chief of communications of the army group (Nachtfuehrer.)

Mr. FLOOD. Who was the commanding general or field marshal of the army group?

General OBERHAEUSER. Up to Christmas, 1941, the commander in chief of the army group was Field Marshal von Bock. He was succeeded by Field Marshal von Kluge.

Mr. FLOOD. What was von Kluge's command up until December, 1941, when he succeeded von Bock?

General OBERHAEUSER. He was commander in chief of the Fourth Army.

Mr. FLOOD. And I suppose the Fourth Army was one of the armies in the middle group.

General OBERHAEUSER. That is correct. The army group included 4 or 5 armies and the Fourth Army was part of army group center.

Mr. FLOOD. What, in a general way, were your duties as chief of communications for the army group?

General OBERHAEUSER. As chief of communications, I was responsible for all the communications, such as telephone, teletype, and wireless from army group center to the single armies belonging to it, and to fulfill my duties, I had been given signal regiment 537. We were also partly responsible for communications with the supreme command. For this purpose, there was a special regiment which was attached to us.

Mr. FLOOD. What was the name of that outfit?

General OBERHAEUSER. 597.

Mr. FLOOD. 597 what?

General OBERHAEUSER. I do not quite recollect that this regiment had a special name. It was probably called signal regiment 597.

Mr. FLOOD. Were you in a position, as chief of communications, at any time from July to December of 1941, officially, to intercept or be in a position to intercept, special orders from the supreme command to the army group?

General OBERHAEUSER. It was part of my duty to see that communications were in order, that it was always possible to talk freely, but I was never instructed to watch over conversations being held between the supreme headquarters and the army group. It was my task merely to see that communications worked properly.

Mr. FLOOD. Well, I am not interested so much in whether you received instructions to listen. What I want to know is, did you, whether you received instructions or not?

General OBERHAEUSER. I was in a position to listen in to conversations and to intercept them in the course of my duties so as to make sure that communications worked properly.

Mr. FLOOD. You therefore were in a position to intercept or to be aware of any orders from a supreme command or from the army group field marshal to any special units of any kind in your area?

General OBERHAEUSER. Yes, I was in a position to do so.

Mr. FLOOD. You were also, therefore, in a position to be aware of or to intercept communications that might take place between field marshals commanding various army groups?

General OBERHAEUSER. Yes, I was in a position to do so.

Mr. FLOOD. When did your headquarters, your personal headquarters, and the army group headquarters move into the Smolensk area, and where did they come from?

General OBERHAEUSER. Approximately at the beginning of September 1941.

Mr. FLOOD. Where did the army group set up its headquarters with reference to the city of Smolensk?

General OBERHAEUSER. It was in a forest which contained several small wooden houses and was located some 10 kilometers west of Smolensk, on both sides of the highway connecting Smolensk and Vitebsk.

Mr. FLOOD. Where did you set up your communications headquarters with reference to the army group headquarters?

General OBERHAEUSER. My personal small headquarters, comprising about seven officers altogether, was erected right next to the field marshal's headquarters.

Mr. FLOOD. How far were those headquarters from the village of Katyn?

General OBERHAEUSER. Approximately 3 kilometers.

Mr. FLOOD. Three kilometers from Katyn and about 10 kilometers from Smolensk?

General OBERHAEUSER. Yes, that is so.

Mr. FLOOD. How soon after the combat troops moved forward did the army group and your headquarters move into the set-up we are talking about?

General OBERHAEUSER. The combat troops took Smolensk some time in July, and the army group sent an advance unit into this area very soon afterwards, the beginning of August, as the army group intended to put up its headquarters which, up to then, had been in Borisow, as quickly as possible in the Smolensk area.

Mr. FLOOD. What do you mean by an advance unit?

General OBERHAEUSER. This advance unit consisted of 1 lieutenant of my staff and 1 lieutenant from the staff of the army group, and approximately 20 enlisted men, whose duty it was to start immediately putting up communications, telephone lines, and so forth.

Mr. FLOOD. Then this was an advance communications unit?

General OBERHAEUSER. Yes, it is correct. It was an advance unit of my communications unit of signal regiment 537.

Mr. FLOOD. It was an advance unit of your command?

General OBERHAEUSER. Yes, of the troops directly under my command.

Mr. FLOOD. What were the names of these 2 officers you just mentioned who were with the advance party?

General OBERHAEUSER. The officer of my own staff was First Lieutenant Rucker, and the officer of the signal regiment 537 was Lieutenant Hodt.

Mr. FLOOD. This officer Hodt was not an officer of regiment 537, but was an officer of your personal staff, is that correct?

General OBERHAEUSER. Of regiment 537.

Mr. FLOOD. Who was the other officer?

General OBERHAEUSER. The other officer, Rucker, was from my staff.

Mr. FLOOD. How do you spell his name?

General OBERHAEUSER. R-u-c-k-e-r, Rucker.

Mr. FLOOD. Was he a communications officer as well?

General OBERHAEUSER. Yes, he was a communications officer and expert. It was always like this, that every signal or communications regiment had a high ranking postal officer attached to it, with the rank of officer, who had a very good education, usually a university man, and they were first-class experts on communications, telephones, and so forth. They were permanently attached to all the regimental staffs of all the communications and signal regiments.

Mr. FLOOD. Of the two officers, which was in command of the advance party?

General OBERHAEUSER. Lieutenant Rucker was in charge of this advance unit, being the senior in rank, but he acted on orders from me. I had been to this area myself and had worked out the plan how to arrange all these communications.

I also want to point out that the communications system of an army group is a very elaborate and large scale affair which could be compared with the communications system of a medium-sized city.

Mr. FLOOD. What was the jurisdiction in kilometers of your command over communications for the Central Army Group?

General OBERHAEUSER. The area under my jurisdiction stretched from Orel to Vitebsk, over a distance of approximately 500 kilometers, from north to south and east to west. It comprised the whole area of the army group center.

Mr. FLOOD. How long did you stay in command in that area?

General OBERHAEUSER. From the beginning of the Russian campaign on June 22, 1941, until October 1943.

Mr. FLOOD. You indicated that, in order to have a knowledge of the area so as to give instructions to your advance party as to how to lay out communications, you yourself visited the area at the time of or before the advance party, is that correct?

General OBERHAEUSER. It was prior to sending the advance unit into the area.

Mr. FLOOD. Do you recall the month, approximately?

General OBERHAEUSER. More or less at the end of July 1941, very soon after the combat troops had taken Smolensk.

Mr. FLOOD. Can you tell me more specifically what you mean by "very soon"? How many days after the combat troops moved forward?

General OBERHAEUSER. To my recollection, I was in the area within 8 days after the combat troops had passed through.

I want to explain this in detail. To accommodate such a large communications unit and several staff headquarters in a newly conquered area, a suitable site must be found, and it is never early enough for a communications chief to get to this area so as to locate suitable sites and make all the necessary preliminary arrangements.

Mr. FLOOD. That being so, I take it for granted that you did considerable traveling around the Katyn-Smolensk area, in general, within a week after the combat troops moved forward?

General OBERHAEUSER. Yes, that is correct. I did so, and during my first visit to this area, both Lieutenants Rucker and Hodt accompanied me.

Mr. FLOOD. I suppose that 30 square miles on three sides, except, of course, forward, would have been a reasonable tour of inspection to set up such headquarters?

General OBERHAEUSER. Yes, because it was always our tendency to decentralize and deconcentrate with a view to avoiding losses through enemy aircraft.

Mr. FLOOD. Where did Lieutenant Hodt set up his advance headquarters?

General OBERHAEUSER. I do not recollect where his headquarters were, but Rucker set up his headquarters at Krasny Bor.

Mr. FLOOD. Krasny Bor, I understand, is a village in the area. Where is it located with reference to Smolensk and Katyn?

General OBERHAEUSER. Krasny Bor was about  $8\frac{1}{2}$  to 9 kilometers from Smolensk.

Mr. FLOOD. If I refresh your memory, would you recall that Lieutenant Hodt set up headquarters for his advance party at Katyn?

General OBERHAEUSER. It is quite possible that Lieutenant Hodt set up quarters in Katyn. Katyn is also a village which is not just in one spot. It is spread out over the countryside and the actual center of Katyn is quite a long distance away from the so-called little Dnieper Castle. We should rather call it the area of Katyn, because it is so spread out and not just a small spot. It is quite an area.

Mr. FLOOD. Do you know Colonel Bedenk?

General OBERHAEUSER. Yes, I knew him. He was the commanding officer of Signal Regiment 537.

Mr. FLOOD. Where was Signal Regiment 537 on active duty between July and December, 1941?

General OBERHAEUSER. The regiment was spread out over the whole large area of the army group center, over 500 kilometers.

Mr. FLOOD. Was the regiment one of the regiments in your command?

General OBERHAEUSER. Yes, it was directly under me.

Mr. FLOOD. Do you know where the colonel set up the regimental staff headquarters?

General OBERHAEUSER. In the so-called little Dnieper Castle lying on the high bank of the River Dnieper.

Mr. FLOOD. What is the relationship of this Dnieper Castle to the Katyn Forest?

General OBERHAEUSER. It is located right in the middle of the forest.

Mr. FLOOD. How far was it from Bedenk's headquarters to your headquarters?

General OBERHAEUSER. Approximately 3 kilometers.

Mr. FLOOD. Did you ever visit Colonel Bedenk?

General OBERHAEUSER. Yes, I visited Colonel Bedenk quite frequently in his headquarters. On an average of about twice a week. Sometimes it was once a week and sometimes three times. That depended on the volume of matters we had to discuss, but, on an average, it must have been about twice a week that I went there.

**Mr. FLOOD.** Other than official connections, what was the relationship between Colonel Bedenk and yourself, personally?

**General OBERHAEUSER.** We were on very friendly personal terms.

**Mr. FLOOD.** Will you describe generally, with some reasonable detail, the surroundings of this so-called Dnieper Castle, Bedenk's headquarters?

Just a moment. What are you looking at?

**General OBERHAEUSER.** It is a rough sketch map of the Katyn area which I prepared already for the Nurnberg hearings.

**Mr. FLOOD.** Will you step up here and let the committee take a look at that for a minute? (Whereupon, the witness approached the bench.)

**General OBERHAEUSER.** This is the highway from Smolensk to Vitebsk [indicating].

**Mr. FLOOD.** The witness indicates, on the right of the map, the city of Smolensk, and, on the left of the map, the city of Vitebsk.

**General OBERHAEUSER.** This is the Dnieper River [indicating] and this is the so-called Dnieper Castle [indicating] on the left side of the sketch map. There is the Dnieper River [indicating] and on the north bank, the little Dnieper Castle.

**Mr. FLOOD.** The witness has so indicated and the river and the castle appear on the map.

**General OBERHAEUSER.** Dnieper Castle was approximately 400 to 500 meters' distance from the highway, with a winding secondary road branching off from the highway and leading up to the building.

**Mr. FLOOD.** As I understand it, the main highway then in that area ran from Smolensk to Vitebsk and it was about 400 meters from that highway to the Dnieper Castle.

**General OBERHAEUSER.** That is correct.

**Mr. FLOOD.** Did that main highway seem to be a new highway, a new surface, or an old one?

**General OBERHAEUSER.** As far as I recollect, the surface of this highway was asphalt, and it was in a very good condition and was also kept in a good condition by our troops.

**Mr. FLOOD.** What was the condition of the forest or woods, if any, in the 400 meters between the main highway and the Dnieper Castle?

**General OBERHAEUSER.** It was a narrow forest road. It was so narrow that it was actually difficult for two vehicles to pass each other. It was really only suitable for one-way traffic.

**Mr. FLOOD.** That's the branch road which led off the main highway, through the forest, in the direction of Dnieper Castle?

**General OBERHAEUSER.** Yes.

I want to state that at the spot where the secondary road branched off from the highway, there was a signal flag put up. There is a drawing of that [indicating].

**Mr. FLOOD.** The witness indicates on his sketch the drawing of a signal flag, black and yellow with black numbers on the stripe through the center.

**General OBERHAEUSER.** The number was 537.

**Mr. FLOOD.** What does that indicate?

**General OBERHAEUSER.** Indicating the signal regiment which was billeted there. That was in order to direct dispatch riders and other persons looking for the regiment, and I presume that the local civilian

population thus got to know about the number of the regiment because it was quite easily seen from all sides.

Mr. FLOOD. Was that regimental flag on the main highway at the junction of the side road all the time, as far as you know?

General OBERHAEUSER. In the beginning, in 1941, and, to my recollection, for about 1 year, this flag was always there. Later on, when more and more camouflaging instructions were issued, it might have been removed, but on this question, Colonel Ahrens will be able to give more details.

Mr. FLOOD. Well then, during 1941, if that flag was up there, there was apparently no mystery about the kind and type of unit that was in Dnieper Castle, is that it?

General OBERHAEUSER. I would put it this way: it was evident from the flag that a unit with the number of 537 was billeted there. It is not said with that that people would realize it was Signal Regiment 537, but a unit with the number of 537.

Mr. FLOOD. What was the condition of the woods between the main highway and Dnieper Castle in the area?

General OBERHAEUSER. It was a forest with high trees but not very dense. On the left-hand side, when going to the castle from the highway, the forest was more dense than on the right-hand side of the secondary road.

Mr. FLOOD. What are these other markings here on the map to the general left of the mark for the castle?

General OBERHAEUSER. This spot [indicating] was billets of the first company of the regiment which was in charge of the telephone exchange which was located there.

Mr. FLOOD. Is this billet of that company I am pointing at on the map in the Katyn Forest?

General OBERHAEUSER. Yes; these billets were still located in the forest. On one occasion, they had a heavy air raid and suffered considerable losses on that occasion. The Russians evidently knew we were there.

Mr. FLOOD. How far is that billet of that company in the regiment from the Dnieper Castle in the forest?

General OBERHAEUSER. Approximately 1½ to 2 kilometers.

Mr. FLOOD. What was the nature of that Russian air attack—fighters or fighter bombers or both, if you remember?

General OBERHAEUSER. Fighter bombers.

Mr. FLOOD. What is this next mark indicated further to the left of the billet for the company?

General OBERHAEUSER. Underneath is my staff headquarters, and this [indicating] was a small wooden building of Field Marshal von Kluge.

Mr. FLOOD. How far is that from Dnieper Castle?

General OBERHAEUSER. Approximately 3 kilometers.

Mr. FLOOD. What are these next indications to the left of the field marshal's headquarters?

General OBERHAEUSER. The technical central exchange for telephone and teletype communications. This exchange was put into a building which had to be constructed, and, as a matter of fact, it was constructed by the advance unit to accommodate the exchange.

Mr. FLOOD. Thank you. Be seated, please. [Whereupon, the witness resumed his seat.]

Mr. FLOOD. The committee would be very grateful if you would prepare a similar map, with a little more care or attention, in order that the committee might have it photostated, or if you will prepare an exact copy of what you have just described for the records of this hearing.

General OBERHAEUSER. Yes, I certainly would take pleasure in doing so, but I wish to point out that I drew this sketch only from memory in Nuremberg and I cannot absolutely guarantee that all the distances will be quite correct, but, on the whole, it is fairly correct.

Mr. FLOOD. Under those circumstances and conditions we would still be glad to have a copy of that map.

NOTE.—Refer to exhibit 74.

Mr. FLOOD. Did you ever take any walks with your friend Colonel Bedenk in the woods surrounding Dnieper Castle at any time?

General OBERHAEUSER. Yes. When I want to see Colonel Bedenk at the castle, we used to go for walks to the forest to get some fresh air and some exercise.

Mr. FLOOD. In those walks, did you ever see any mounds of earth that might resemble graves, any place in the area up to 500 or 1,000 meters surrounding the castle?

General OBERHAEUSER. No, I never noticed anything of that kind, although to the left of this secondary road leading from the highway to the castle, the forest was not so dense, but I never noticed any mounds of earth or anything which might have been graves.

Mr. FLOOD. Were you in the Smolensk area in April 1943, when the Germans announced they had discovered the Katyn graves?

General OBERHAEUSER. Yes, I was.

Mr. FLOOD. Did you ever visit the graves after the discovery was announced?

General OBERHAEUSER. Yes, I went there after the graves had been opened on about three occasions. Afterward, I did not go there any more because the sight was so dreadful that, if possible, I kept away. I only went there then when I absolutely had to.

Mr. FLOOD. How far from Dnieper Castle were the graves when you saw them in April 1943?

General OBERHAEUSER. Approximately 250 meters from the castle.

Mr. FLOOD. Weren't you surprised that in all your walks in 1941 you hadn't seen such graves or mounds of earth if they were close to the castle?

General OBERHAEUSER. Yes, I was very taken aback and shocked about the discovery.

Mr. FLOOD. That may be. What I want to know is, weren't you surprised yourself that you didn't observe or see anything that might resemble anything like mounds of earth so close to the castle when you were walking in that area between July and December 1941, with your friend, Colonel Bedenk?

General OBERHAEUSER. Once something has been published and you have been to the town hall, then you always know more about things. We never expected anything. We had no idea that such a thing could have been, and so, that's why the thought never occurred to us.

Mr. FLOOD. When did Bedenk leave command of the regiment?

General OBERHAEUSER. November 1941.

Mr. FLOOD. General, you told us that you went into the Katyn-Smolensk area about a week after the combat troops, which would be in July 1941, and that you traveled around about 30 square kilometers in the area, looking for a communications and army group headquarters. In your travels, so soon after the fighting, did you see, first, any Polish prisoners of any kind or, second, any Russian prison camps?

General OBERHAEUSER. To answer question one, I never saw any Polish soldier, right through the campaign there, dead or alive. As to question two, in that area I never saw any POW camps. In the rear, around about Wjasma, we were advancing and we did see some former camps which were very dilapidated and half in ruins, with typical watchtowers on the corners, but these camps were very old and were absolutely in disrepair, and mostly in ruins. However, they were further in the rear, hundreds of kilometers in the rear.

Mr. FLOOD. They were, then, twenty-five to a hundred kilometers to Smolensk?

General OBERHAEUSER. These old dilapidated camps could be found all along the highway from Vyazma to Smolensk and up to Minsk—Borisow and Minsk—and it was assumed that these old camps had accommodated workers who had been working on the highway. These old dilapidated camps were actually, later on, reconstructed and used for the German units and their laborers who kept the highway in order.

Mr. FLOOD. Did you ever hear, in the area, of a Russian prison camp named Kozielsk?

General OBERHAEUSER. At that time I never heard the name. Later on, after the graves had been opened and the Katyn case became public, I did hear the name of Kozielsk occasionally in that connection, that Polish officers had been confined to the camp of Kozielsk prior to being taken to Katyn.

Mr. FLOOD. Well now, you told us that you were in a position to intercept—to see that your operations were working properly—and that you frequently did intercept communications from the supreme command and from the army group commander to the Army, isn't that so?

General OBERHAEUSER. Technically, yes. Technically that possibility existed, but in fact it happened very seldom; only when I received complaints from the field marshal or some very high-ranking officer, and when I couldn't hear well or understand well the man at the other end, then I went in and switched in and checked on this report and saw to it that the defects were remedied.

Mr. FLOOD. Well, you yourself are a pretty high-ranking officer, lieutenant-general, and you were in command of communications for the army group. That being so, what do you know about a German command order, if there was one, to kill Russian prisoners?

General OBERHAEUSER. At the time this order was issued——

Mr. FLOOD (interposing). There was such an order?

General OBERHAEUSER. I learned later on that such an order to kill commissars did exist, but at that time, at the time it was issued, I did not know about it in view of the fact that as a communications



unit we had no connection with the front line and consequently never got in touch with any captured commissars or other Russian prisoners.

Mr. FLOOD. You indicate that such an order from a supreme command, which I suppose would be unusual, passed through your hands as commanding officer of communications for the entire army group, and you didn't know about it and hadn't heard about it until later on?

General OBERHAEUSER. An order existed, directly issued by Hitler, that any such matter which did not directly concern a certain army or corps or division or unit was not to be transmitted to these units.

Mr. DONDERO. General Oberhaeuser, did you cause to be erected in the Katyn forest area any notices that any persons found without a pass in that area would be shot on the spot?

General OBERHAEUSER. No; I did not.

Mr. DONDERO. That is all.

Mr. FLOOD. Did you trust Colonel Bedenk?

General OBERHAEUSER. Absolutely.

Mr. FLOOD. Do you think that Colonel Bedenk would take any orders from any SS generals or—in view of the faction politics in the Wehrmacht, as in any army—from any other generals, the kind of orders that would produce the execution of 4,000 Polish officers, without letting you know about it?

General OBERHAEUSER. That is absolutely out of the question.

Mr. FLOOD. Under all of the circumstances surrounding your relationship with Bedenk and his regiment and the proximity of your headquarters to his in the Katyn forest, would it have been possible at any time between July and November of 1941 for the execution of 4,000 Polish officers to have been carried out, either by Bedenk or anybody else, without your knowing about it?

General OBERHAEUSER. That would have been quite impossible in every respect, particularly in a technical respect, because the tasks of these communication troops were so manifold that any such large action would have upset the whole schedule of duties and it could not have remained a secret.

Mr. FLOOD. Did you talk to any generals of the Wehrmacht or of any other categories, SS or otherwise, or any German civil, political, or propaganda officials of any rank with reference to Poles or the disposition of Polish prisoners at any time when you were in command in the Solensk area?

General OBERHAEUSER. Never.

Mr. FLOOD. Did you ever give any orders to Bedenk or to any subsequent commanders of the 537th Regiment to execute Polish officer prisoners?

General OBERHAEUSER. Never.

Mr. FLOOD. Did you ever, yourself, see or participate in the execution of Polish officer prisoners at the Katyn forest between July and December of 1941?

General OBERHAEUSER. No, never, because such a thing never happened there.

Mr. MACHROWICZ. Could you tell me what your present occupation is?

General OBERHAEUSER. I am retired.

Mr. MACHROWICZ. Have you any connection whatsoever with the German Government?

General OBERHAEUSER. No, none.

Mr. MACHROWICZ. Have you been advised, instructed, or coached in any way by anyone before you came to this committee as a witness?

General OBERHAEUSER. Nobody told me about it; nobody ever advised me; nobody ever even mentioned to me that I would appear before this committee.

Mr. MACHROWICZ. Were you a witness at the Nuremberg trial?

General OBERHAEUSER. Yes, I was.

Mr. MACHROWICZ. That was in 1946?

General OBERHAEUSER. That is correct; yes.

Mr. MACHROWICZ. Before you were called as a witness there, were you called by anyone and instructed, ordered, or coached as to how to testify there?

General OBERHAEUSER. I was in the Allendorf prison camp, and when they came to fetch me to take me to Nuremberg by jeep I didn't even know where I was going.

Mr. MACHROWICZ. And your testimony there was on the very same matters that you testified here, is that correct?

General OBERHAEUSER. In Nuremberg? Yes, in the same manner.

Mr. MACHROWICZ. To the best of your knowledge, was the testimony, in substance, the same as that given here?

General OBERHAEUSER. Yes, it was materially the same. If you wish, I will submit the affidavit which I have with me.

Mr. MACHROWICZ. Now, in the course of your testimony today, on one or two occasions, you referred to certain notes which you have in your pocket. Could you tell the committee what those notes are?

General OBERHAEUSER. Those are the affidavits I submitted for the Nuremberg trial, the notes.

Mr. MACHROWICZ. Before whom did you prepare those affidavits?

General OBERHAEUSER. I had to hand them to Dr. Stahmer, and I do not know what he did with them.

Mr. MACHROWICZ. Dr. Stahmer was the defense counsel, is that correct?

General OBERHAEUSER. Dr. Stahmer was defense counsel for Goering, and the Katyn case formed part of the whole case against Goering, it was treated or dealt with in connection with the Goering case.

Mr. MACHROWICZ. May I see those notes?

General OBERHAEUSER. Yes.

(Documents submitted to the committee.)

Mr. MACHROWICZ. These notes are dated "Nuremberg, June 26, 1946," is that correct?

General OBERHAEUSER. Yes; that is correct.

Mr. MACHROWICZ. And they are entitled, "Eidesstattliche Erklarung." What does that mean?

General OBERHAEUSER. That means "statement in lieu of an oath." That is the ordinary heading that is generally used in the heading of all such statements.

Mr. MACHROWICZ. Did anyone give you any information upon which you base the information contained in this statement?

General OBERHAEUSER. No, because there was nobody to whom I could have talked and gotten information from, in view of the fact that the other officers who were at Katyn were free, while I was a prisoner.

Mr. MACHROWICZ. Is this, then, the correct statement as given by you to the person who took your oath?

General OBERHAEUSER. I wish to make a statement.

Mr. MACHROWICZ. Go ahead.

General OBERHAEUSER. On a Friday, which was prior to the Monday when I had to appear as a witness, Dr. Stahmer told me that I would probably not have to take the stand, and he asked me whether I would write out an affidavit. Among other things, we prisoners learned that on this subsequent Monday the matter of Katyn would be brought forward. To my surprise, at 8 o'clock the next morning I was called and told that I would have to appear before the court.

Mr. MACHROWICZ. Before the tribunal?

General OBERHAEUSER. Yes; before the tribunal. The first questions were put by Dr. Stahmer, and then came the cross-examination by the Russian, Smirnow. In the course of this cross-examination totally different questions were put to me than are contained in this affidavit, but the questions I was asked by Dr. Stahmer are contained in the affidavit, mostly, more or less.

Chairman MADDEN. You might explain who this Smirnow is, the Russian.

General OBERHAEUSER. To my knowledge he was the Russian representative, or delegate who represented the accusation, the Russian prosecutor.

Chairman MADDEN. Spell it, please.

General OBERHAEUSER. S-m-i-r-n-o-w.

Mr. MACHROWICZ. Now, according to the first statement in this affidavit of yours, you were in command of that area until about October 1943, is that correct?

General OBERHAEUSER. Yes, that is correct. Yes, up to October 1943 I was in command of that area. The area changed subsequently because the German troops had to fall back, and then of course our staff headquarters and other staff headquarters had to be moved back, but up to October 1943 I was chief of communications of the Center Army group.

Mr. MACHROWICZ. Was there any break in time in that command since September 1941?

General OBERHAEUSER. Except for normal leave, furlough, there was no break whatever, I was always there, and this furlough was due once a year.

Mr. MACHROWICZ. Did you know Colonel Ahrens?

General OBERHAEUSER. Yes, I do.

Mr. MACHROWICZ. Was he under your command?

General OBERHAEUSER. He was directly under my command as successor to Colonel Bedenk, and was the commanding officer of Signal Regiment 537.

Mr. MACHROWICZ. Now, the statement which you prepared in Nurnberg in June 1946 declares that Colonel Ahrens took the command over in November 1941, is that correct?

General OBERHAEUSER. That is correct.

Mr. MACHROWICZ. Do you know where he was before November 1941?

General OBERHAEUSER. Up to that time Colonel Ahrens was instructor at the training regiment of the Army Communications School in Halle, Saxony.

Mr. MACHROWICZ. That is approximately how far from Smolensk?

General OBERHAEUSER. 1,200 kilometers, approximately.

Mr. MACHROWICZ. Have you read the Russian statement made regarding the Katyn Forest?

General OBERHAEUSER. Yes, I read the protocol, and also the statements of the three Russian witnesses, but that was only about 2 years ago.

Mr. MACHROWICZ. The affidavits contained in the Russian statement include an affidavit that the murders were committed some time between July and November, 1941, and that at that time Colonel Ahrens was in command. Is that a true statement of fact?

General OBERHAEUSER. That is quite incorrect, that statement, because I clearly remember in November, when Colonel Ahrens took over, I had the regiment, or the companies that were available on that day, march up there, and they were standing in an open square and I introduced—I thanked the old regimental commander for all he had done, and welcomed the new regimental commander. That was in November 1941.

Mr. MACHROWICZ. Now, do you have in your possession any written orders or any documents which would show the whereabouts of Colonel Ahrens in the period between July 1941 and November 1941?

General OBERHAEUSER. I believe that Colonel Ahrens himself lost all his documents and papers in Halle when his apartment was destroyed, but I believe it possible that in the files of the German Army, which are in the hands of the American Army at present, something might be found to that effect.

Mr. MACHROWICZ. Now, did you, while you were in the Smolensk area, know of an order allegedly given by the German command in about August of 1941 ordering the civilian population to turn over to the Germans all escaped Polish prisoners?

General OBERHAEUSER. I know nothing about such an order.

Mr. MACHROWICZ. Who was Commander von Schwetz? Do you know?

General OBERHAEUSER. I do not know that officer.

Mr. MACHROWICZ. Is it possible that there would be anyone by a name similar to "von Schwetz" that might have given such an order?

General OBERHAEUSER. I do not know, but I suggest that General von Gersdorff might know something.

Mr. MACHROWICZ. Now, did you know a Herschfeld, who was allegedly the Sonderfuehrer of the 7th Division of the German Command?

General OBERHAEUSER. No, I don't know him.

Mr. MACHROWICZ. Was there anyone in the Smolensk region among the higher German officers at the time that you were there by the name of Herschfeld?

General OBERHAEUSER. I do not recollect any such name, and I don't know any such name.

Mr. MACHROWICZ. I might state for your information, witness, that it is alleged by the Russians that one Herschfeld, Sonderfuehrer of the 7th Division of the German Command, was the one who always gave an order that all Polish prisoners be captured and brought to the German Command. Does that refresh your recollection?

General OBERHAEUSER. I never had anything to do with the 7th Division. I never heard the name of Herschfeld, and I don't know anything about the whole matter.

Mr. MACHROWICZ. Now, in about May of 1943 was there published in the Smolensk area by anyone in the German Command a request to the local population for information regarding the Katyn massacre?

General OBERHAEUSER. I do not know anything about that.

Mr. MACHROWICZ. Do you remember Lieutenant Voss of the Field Police?

General OBERHAEUSER. The name came back to me now in these few days while I was here. I remember having heard the name at that time, but I couldn't even say what the man looks like.

Mr. MACHROWICZ. Was he working in connection with Oberleutnant Braund, who was commander at Katyn?

General OBERHAEUSER. The name of Oberleutnant Braund does not convey anything to me; I do not know him.

Mr. MACHROWICZ. Under the Russian version, I might say Oberleutnant Braund was a commander at Katyn in May 1943.

General OBERHAEUSER. May 1943?

Mr. MACHROWICZ. Yes.

General OBERHAEUSER. It is possible that in the course of the retreat such an officer might have been local commander in Katyn, but at that time I was already in Austria with my unit.

Mr. MACHROWICZ. Well, the Russians have furnished a so-called "appeal to local population" signed May 3, 1943, by Voss, Lieutenant of the Field Police, who had allegedly been working under the command of Oberleutnant Braund. Does that refresh your recollection?

General OBERHAEUSER. I do not know anything about that, because that was absolutely beyond my jurisdiction. I was in communications and had nothing to do with intelligence, so I don't know.

Mr. MACHROWICZ. Have you ever heard of Prison Camp No. 126, somewhere in the Smolensk area?

General OBERHAEUSER. No.

Mr. MACHROWICZ. Was there any road work done between July and November 1941 on the Smolensk-Vitebsk Highway?

General OBERHAEUSER. Well, repairs were carried on all the time on the road, chiefly by the Organization Todt, and they were also using Russian prisoners. But even driving over the highway I did notice that work was going on, but I never paid attention to it or to the people doing it.

Mr. MACHROWICZ. Such work would not be under your jurisdiction, would it?

General OBERHAEUSER. No; in no way whatever. I had nothing to do with that.

Mr. MACHROWICZ. Are you familiar with the Polish uniform, the uniform of the Polish officers?

General OBERHAEUSER. I know the Polish officers wear four-cornered caps, and besides, I saw Polish uniforms on the bodies exhumed at Katyn.

Mr. MACHROWICZ. Would you be able to distinguish a Polish uniform from a Russian uniform—a Polish officers' uniform and a Russian officer's uniform?

General OBERHAEUSER. I believe that I could distinguish between the uniforms of the Polish officers and Russian officers because at the beginning of each campaign we were shown pictures of the uniforms and what the opposing soldiers would look like, although I never saw one alive. In the Polish campaign in 1939, of course, I did see Polish prisoners, but none in Russia later on.

Mr. MACHROWICZ. Did you, between July and November of 1941, see any officers in Polish uniforms used by the Germans on road work in the Katyn area?

General OBERHAEUSER. No, never.

Mr. MACHROWICZ. Are you aware of the fact that the Russians claim that the Germans had been using these Polish officers for road repair work in the Katyn area, the same ones who later were found in the Katyn graves?

General OBERHAEUSER. I did hear some very vague rumor to that effect later on, but nothing definite.

Mr. DONDERO. General, you saw the bodies at the Katyn graves, did you?

General OBERHAEUSER. Yes; on my two or three visits to the graves I saw the dead bodies lying in the graves and a few single ones that had been taken out. An autopsy was being performed on them by Professor Butz. However, I never stayed long.

Mr. DONDERO. How were they dressed?

General OBERHAEUSER. As far as I can recollect, to my great astonishment the dead bodies were very well clad, in good uniform, all of them still had either their greatcoats or capes on, and very good boots, so that it gave me the impression that the killings must have been done in a hurry, in view of the fact that wallets and all sorts of valuables were found on the bodies. It is quite unusual, according to my experience, that the Russians, after executing people, would bury them with all their good clothes on. That astonished me.

Mr. DONDERO. Do you mean "overcoat" by "greatcoat"?

General OBERHAEUSER. Yes, overcoats and capes.

Mr. DONDERO. You were in that area from August, at least, until November of 1941. What kind of weather do they have?

General OBERHAEUSER. In July it was still very hot, but then fall set in very suddenly, with lots of rain and very much mud, and it was very cold and early winter in that year.

Mr. DONDERO. What would it be in the month of August? Because I think there is something in the record to the effect that the Russians claim the Germans shot these men during the month of August.

General OBERHAEUSER. Normal, warm summer weather.

Mr. DONDERO. That is all.

Mr. MACHROWICZ. I have a few more questions.

Did you notice any unusually heavy truck movement in the Katyn forests in the months of August and November 1941?

General OBERHAEUSER. Traffic was not particularly heavy, although Signal Regiment 537 had a fairly heavy traffic every day with material, building construction material, being taken away to the various companies and food and other things being transported all the time, so the traffic of the regiment itself was fairly lively, but not unusually heavy.

Mr. MACHROWICZ. The affidavits of some of the Russian witnesses claim that in August and September and October of 1941 there was an unusual number of heavy trucks loaded with many prisoners coming into the Katyn area. Did you notice any such movement?

General OBERHAEUSER. No; no such thing ever happened. It is possible that the truck loaded with soldiers of Colonel Ahrens now and again drove through the forest on duty, but that was all.

Mr. MACHROWICZ. Did you yourself hear, or did you hear from anyone else, about an unusual amount of shooting going on in the forest during those months that I have mentioned?

General OBERHAEUSER. I never noticed any firing, and besides, firing was to be prevented at all costs so as not to attract attention of guerrillas, and so on.

Mr. MACHROWICZ. Can you tell us by whom these graves were discovered, and under what circumstances, and when?

General OBERHAEUSER. To my knowledge the graves were discovered some time in March 1943, and as to how the discovery was made, that knowledge only came to me later. I was told about it later. But some Polish auxiliary volunteers, who were working for German divisions, marching toward the front line, and who had spent a day or two in that area on the march to the front line, had inquired from the local population whether any Polish prisoners or officers had been killed and buried in that area. Then, in addition, that wolf story of Colonel Ahrens also came up.

Mr. MACHROWICZ. Then, to the best of your knowledge, the first information the German command had of these graves was about March of 1943?

General OBERHAEUSER. To my recollection, in March of 1943 the first preparations were made to investigate more closely the many rumors going around about these graves.

Mr. MACHROWICZ. When did these rumors about the graves start, as far as you know?

General OBERHAEUSER. I myself never heard any such rumors; I only got to know about the whole thing when, in March of 1943, the first preparations were made to make a thorough search in the forest.

Mr. MACHROWICZ. During the Nuremberg trial you were cross-examined by Smirnow on the alleged knowledge by the Germans of these graves as far back as November 1942. Do you remember that?

General OBERHAEUSER. I do not exactly recollect having been asked that question in Nuremberg. At any rate, in 1942 I never had an inkling of the graves. I suggest that Colonel Ahrens or Lieutenant Eichborn might be questioned about that.

Mr. MACHROWICZ. Now, you testified previously that these graves were such a horrible sight that you never went to them unless you had to go. Is that correct?

General OBERHAEUSER. Yes; that is correct.

Mr. MACHROWICZ. Well, when and why did you have to go and see the graves?

General OBERHAEUSER. Well, as I say, in view of the fact that my regimental staff was billeted right next to the graves and many people were busy digging there, I couldn't help passing right through this thing; and, of course, when I passed through I also looked at these things and I couldn't help seeing that.

Mr. MACHROWICZ. Were you ever ordered to go there and see the graves and make a report on them?

General OBERHAEUSER. No.

Mr. MACHROWICZ. Were there any trees in the immediate vicinity of where the graves were found?

General OBERHAEUSER. In the spot where the graves were found there was sort of a clearing with tiny birch trees about 3 feet high—whether they had been planted there or not I do not know—and there was some heather on the ground, but, on the whole, it was a fairly clear sandy place, sort of a clearing.

Mr. MACHROWICZ. Now, these young saplings, or these young trees that you are talking about, were they right over the graves?

General OBERHAEUSER. I am not able to say whether these small birch trees were right on top of the graves because I only saw them after they had been opened, but the whole spot was covered with these small birch saplings, or birch trees, more or less.

Mr. MACHROWICZ. Did it appear to you then that someone, whoever it was who dug these graves, after digging these graves, grew young sapling or birch sapling trees over them? Is that the impression you got?

General OBERHAEUSER. Afterwards I had the impression that probably these trees had been planted there for camouflage purposes.

Mr. MACHROWICZ. By "camouflage purposes" you mean by someone who wanted to conceal the location of the graves, is that what you mean?

General OBERHAEUSER. Yes, exactly.

Mr. MACHROWICZ. And might not that have been the reason why these graves were not noticed by you or by the others in that vicinity sooner?

General OBERHAEUSER. Yes, that is quite correct. That is one of the reasons why we probably never noticed the spots where the graves were. And besides, similar fairly clear spots were also in other portions of the forest, so this particular spot didn't distinguish itself much from the others.

Mr. MACHROWICZ. That is all.

Mr. DONDERO. General, was the wood in the vicinity of the graves thick or thin?

General OBERHAEUSER. On the north side of the secondary road leading from the highway to the castle the forest was not very dense. On the other side of this road it was much denser.

Mr. DONDERO. Was that near the graves?

General OBERHAEUSER. The graves were on that side where the forest was not dense.

Mr. DONDERO. Would they be thick enough or dense enough so that a man could hide and see the shooting if the men were shot near the graves?

General OBERHAEUSER. Single trees might have been there which were thick enough so that a man could have hidden and looked on, but the majority of the trees were rather thin.

Mr. DONDERO. Were they tall trees, or were they just a low height?

General OBERHAEUSER. The trees were fairly high, about 40 to 50 years old, pines; the size of trees about 40 to 50 years old, pine trees. I am no forester, I don't know very much about this.



Mr. DONDERO. Do you think, General, that a man, or two men, could have hidden in those pine trees that you have described, and near enough to the graves so they could have seen what was going on if the men were shot very close to where they were buried?

General OBERHAEUSER. Yes; in my opinion it would have been possible for one or two men to hide, because there were also single bushes standing about, so it would not have been impossible to hide there and look on.

Mr. DONDERO. Well, could they have hidden themselves by climbing the trees so they could not have been seen?

General OBERHAEUSER. I do not think that is very likely, because these pine trees, as usual, are quite bare, without branches.

Mr. DONDERO. That is all.

General OBERHAEUSER. They only have foliage on top.

Chairman MADDEN. Any further questions?

(No response.)

Chairman MADDEN. General, I just want to ask two questions.

The Russians, in 1943, made an investigation, as you know, and then presented a written report of their investigation.

General OBERHAEUSER. I know about this report of the Russians, and a few days ago I read in the East Berlin Communist paper, *Taegliche Rundschau* the story which covers, more or less, this Russian report.

Chairman MADDEN. Yes. Now, General, among the various conclusions or statements which they made in their report was the following:

The mass shootings of Polish prisoners of war in the Katyn Forests were carried out by a German military organization hiding behind the conventional name of Headquarters of the 537th Engineering Battalion, which was headed by Lieutenant Colonel Arnes and assistants, First Lieutenant Rokst and Second Lieutenant Hodt.

Now, what do you have to say about that conclusion of the Russian report?

General OBERHAEUSER. It was, in my opinion, quite easy for the local population to find out about the name of the unit, and Ahrens is quite impossible because he did not take over the regiment before November 1941. And the names of those two officers, Rokst and Hodt, were also fairly easy to be found out by the local population because these young officers engaged women from the civilian population to work in the kitchen of the staff headquarters and to do other housework and chores, and so naturally the names of these officers were much in evidence, and they must have become known to the civilians as well.

To my recollection the Russians also named this unit engineer battalion or construction battalion and I believe that that may come from the fact that formerly in the Russian Army and, as far as I know, also in the French Army, engineer and communication troops were together.

The allegations by the Russians, in my opinion, that Colonel Ahrens and these two lieutenants, Rokst and Hodt, were responsible for the shootings are absurd, because Ahrens was not even there at that time.

Chairman MADDEN. Now, one more question.

The Russian report also concluded—and I will repeat this and the interpreter can convey it to the witness as I go along:

The German occupation authorities, in the spring of 1943, brought in from other places bodies of Polish war prisoners whom they had shot and put into the open graves in the Katyn Forest, calculating on covering up the traces of their own crimes and on increasing the number of victims of Bolshevik atrocities in the Katyn Forest.

General, what do you have to say about that statement of the Russians?

General OBERHAEUSER. All I have to say about that is that the Russians seem to have a lot of imagination.

Chairman MADDEN. All right. Now, the Russians, in their report, after their investigation, also concluded:

"Preparing for their provocation, the German occupation authorities started opening the graves in the Katyn Forest in order to take out documents and material evidence which exposed them"—that is, documents from the bodies, letters, and so on—"using for this work about 500 Russian prisoners of war who were shot by the Germans after this work was completed."

General OBERHAEUSER. It is correct that the exhumations were made by Russian prisoners of war, but it is absolutely out of the question and impossible that these allegedly 500 Russian POW's should have been shot by the Germans.

I want to point out one fact, that from the letters and documents—particularly from the letters—found on the dead bodies by the Germans, it emanates quite clearly that all these letters stopped around about a certain date, May 1940, and not one letter was dated later after that.

Chairman MADDEN. That is all. Any further questions?

(No response.)

Chairman MADDEN. Now, General, the committee is very thankful for you coming here today and testifying, and your testimony has been very helpful.

Chairman MADDEN. The next witness is Lieutenant von Eichborn.

#### **TESTIMONY OF REINHARDT VON EICHBORN, FRANKFURT/MAIN, GERMANY (THROUGH THE INTERPRETER, ARTHUR R. MOSTNI)**

Chairman MADDEN. Will you please state your name and address for the reporter?

Lieutenant VON EICHBORN. Reinhardt von Eichborn.

Chairman MADDEN. Now, the interpreter will stand up and be sworn.

What is your name?

Mr. MOSTNI. Arthur R. Mostni.

Chairman MADDEN. Do you solemnly swear, by God the Almighty, that you will, according to the best of your skill and ability, truly interpret the testimony of the witness from English into German and from German into English?

Mr. MOSTNI. I do.

Chairman MADDEN. Now the counsel will read the witness his statement.

Mr. MITCHELL. Before you testify it is our wish to invite your attention to the fact that under German law you will not be liable for slander or libel either in criminal or in civil proceedings for any-

thing you may say in your testimony, so long as you tell the truth. At the same time, we wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as the result of your testimony.

Chairman MADDEN. Do you understand that?

Lieutenant VON EICHBORN. Yes, I do.

Chairman MADDEN. You will be sworn.

Do you solemnly swear by God the Almighty that you will, according to the best of your knowledge, tell the pure truth, the whole truth, and nothing but the truth, so help you God?

Lieutenant VON EICHBORN. I swear, so help me God.

Mr. FLOOD. What is your full name?

Lieutenant VON EICHBORN. Reinhardt von Eichborn.

Mr. FLOOD. Were you ever identified with the German armed forces?

Lieutenant VON EICHBORN. Yes, I was.

Mr. FLOOD. What was your rank and what was your connection with the German armed forces in 1941?

Lieutenant VON EICHBORN. I was a lieutenant, and I was a case worker for communications affairs with the central army group.

Mr. FLOOD. Were you ever identified at any time with the regiment 537 that we have been talking about here?

Lieutenant VON EICHBORN. From the outset of the war until the winter of 1940 I was a member of this regiment.

Mr. FLOOD. What was your duty or job with the regiment?

Lieutenant VON EICHBORN. I was company commander with the first company and I was in charge of the communications of this group.

Mr. FLOOD. When did you go into the Smolensk area?

Lieutenant VON EICHBORN. Approximately in the beginning of September, at the same time as the army group did.

Mr. FLOOD. What were you doing with the army group instead of with your regiment?

Lieutenant VON EICHBORN. Since December of 1940 I had been transferred to this army group.

Mr. FLOOD. Were you here when General Oberhaeuser testified?

Lieutenant VON EICHBORN. Yes, I was.

Mr. FLOOD. What do you know about an advance party or an advance unit from the group that went into Smolensk before the staff headquarters did?

Lieutenant VON EICHBORN. Approximately 5 or 6 weeks prior to the movement of the army group from Borisow to Smolensk, an advance unit under the command of two officers, Hody and Reichert, with a few noncoms and enlisted men, was dispatched to the Smolensk area in order to prepare communications for staff headquarters of the army group.

Mr. FLOOD. What was your specialty in communications?

Lieutenant VON EICHBORN. I was in charge of the planning staff of communications and of maintenance of communications to the army group.

**Mr. FLOOD.** Are you aware of the procedure for the transmission of operational orders from the supreme command or from the army group, and from the army group to the armies or down to the regiments in the Smolensk area?

**Lieutenant VON EICHBORN.** No direct orders were communicated from army headquarters to regimental headquarters, and so forth; it was always conveyed via division or corps headquarters.

**Mr. FLOOD.** Were you in a position to intercept or be aware of any communications by telephone or otherwise between field marshals commanding arm groups?

**Lieutenant VON EICHBORN.** I was in charge of seeing to it that such communications could be effected without any disturbances. Therefore, time and again I had to monitor such messages, and therefore I have been in a position to intercept or listen to such information.

**Mr. FLOOD.** Were you in a position to intercept or listen to any communications from the supreme command or the army command to any special groups that might be operating for the Germans in the Smolensk area in 1941?

**Lieutenant VON EICHBORN.** If I had intended it. I had a chance to monitor every conversation held between headquarters and any subgroup or subcommand, and vice versa.

**Mr. FLOOD.** You heard General Oberhaeuser tell us, I suppose, that the German high command had issued an order at one time, about this time, for the killing of Russian prisoners.

**Lieutenant VON EICHBORN.** Yes, I did.

**Mr. FLOOD.** Did you, in your capacity as a communications expert at a highly confidential level, intercept or participate in any communications of any nature between the German supreme command or army group commanders dealing with the order to kill Russian prisoners?

**Lieutenant VON EICHBORN.** Six weeks prior to the beginning of the Russian war I effected communications between Field Marshal von Bock and Von Kluge, a conversation which lasted for about three-quarters of an hour, and which dealt with the so-called commissar order.

**Mr. FLOOD.** How did you become identified with that exchange between those two high-ranking officers?

**Lieutenant VON EICHBORN.** I was ordered to report to the field marshal, and I was asked whether there was any chance——

**Mr. FLOOD (interposing).** What field marshal?

**Lieutenant VON EICHBORN.** Von Bock—and I was asked whether there was any chance of effecting such a communication between Posen and Warsaw and that no monitoring of the conversation would be possible.

**Mr. FLOOD.** Did Von Bock ask you that himself?

**Lieutenant VON EICHBORN.** Yes. He ordered me to report personally to him. Generally he gave me an order to effect a communication in such a way that neither at Posen nor at Warsaw, nor anywhere on the way, could anyone monitor the conversation.

**Mr. FLOOD.** Did you?

**Lieutenant VON EICHBORN.** Yes. I did. This conversation was carried on via a high-frequency generator and through an inverter device.

**Mr. FLOOD.** What happened?

**Lieutenant VON EICHBORN.** That is a scrambling device.

Mr. FLOOD. Tell us what happened. What did you do? Who was on the other end? What was the conversation?

Lieutenant VON EICHBORN. In order to do that I proceeded to a switchboard, to a central switchboard. I took the place normally occupied by a switchboard operator, and I saw to it, from the other end, that an officer also took the place of the operator. The conversation subsequently took place and it was revealed that it was Field Marshal von Kluge who had desired it.

In the course of this conversation the two gentlemen exhaustively discussed the commissar order which, so far, had been unknown to me, and which I believe had been promulgated, I believe, a day before. It turned out that both gentlemen were unanimous that such an order was absolutely incompatible with the honor of a Prussian officer.

Mr. FLOOD. Who was that? Von Bock and von Kluge?

Lieutenant VON EICHBORN. Yes, von Bock and von Kluge.

The gentlemen subsequently discussed any chance to have this order rescinded, and they agreed upon proceeding to Hitler and seeing Hitler together with the other two field marshals on the Russian front, von Rundstedt and von List.

Mr. FLOOD. Was that the end of the conversation?

Lieutenant VON EICHBORN. That was the end.

Mr. FLOOD. Did you listen to this conversation yourself?

Lieutenant VON EICHBORN. Yes, I did. I personally listened to the conversation, and at the Warsaw end of the line another officer had been listening in.

Mr. FLOOD. You don't know whether any meeting with Hitler took place or what happened, do you?

Lieutenant VON EICHBORN. No, I know nothing about that.

Mr. FLOOD. Did you ever visit the staff of the 537th regiment at Dnieper Castle?

Lieutenant VON EICHBORN. Inasmuch as it was my old regiment, I frequently happened to be there on duty as well as off duty.

Mr. FLOOD. Did you, at the time you were there, from September on, encounter any Polish prisoners, or did you ever hear of any Polish prisoners being in the area?

Lieutenant VON EICHBORN. No, I neither heard nor saw anything of it.

Mr. FLOOD. Now, there were all kinds of rumors going around the Katyn-Smolensk area that Polish prisoners had been there and had been shot by Russians. Did you ever hear any of that?

Lieutenant VON EICHBORN. I knew nothing at all of such rumors. I definitely would have remembered such rumors if I had heard them, because at the time of the discovery I was no longer serving with the unit, and for this reason, if I ever had heard anything about such rumors, I would not have failed to remember it.

Mr. FLOOD. Were you in the Smolensk-Katyn area in April 1943 when the Germans announced the discovery of the bodies?

Lieutenant VON EICHBORN. No, I was not.

Mr. FLOOD. When you visited your former brother officers of the 537th regiment of the Dnieper Castle regimental staff, did you ever talk about any rumors or what the natives were saying about things generally in the area?

Lieutenant VON EICBORN. No; I certainly would remember any such thing if it had happened, because later on I was very much astonished about it.

Mr. FLOOD. Did you take any walks in the area during all the months that you were there around the Dnieper Castle and the woods?

Lieutenant VON EICBORN. Yes, I did.

Mr. FLOOD. Did you ever see any mounds that might have resembled graves, or anything of that nature, in the area of the castle?

Lieutenant VON EICBORN. Naturally, this area had been a combat area——

Mr. MACHROWICZ. A what?

Lieutenant VON EICBORN. A combat area, and therefore it is quite natural that war material was littered about the whole area, and there were also individual graves.

Mr. FLOOD. But did you see anything resembling a large mass grave that might contain the bodies of thousands of men?

Lieutenant VON EICBORN. No, I did not, because if I had done so I wouldn't have failed to discuss the subject.

Mr. FLOOD. You heard General Oberhaeuser's testimony this morning, for several hours this morning, and he went into great detail describing the Dnieper Castle, the woods, the highways, and the general surroundings, with a map that he showed the committee? You heard all of that?

Lieutenant VON EICBORN. Yes, I did.

Mr. FLOOD. Is there anything you wish to add to that description, that you think of importance, in detail?

Lieutenant VON EICBORN. No, I don't believe I would be able to add anything.

Mr. FLOOD. Because of your relationship and friendship with the officers and the men of the 537th regiment, because of the fact that you were quartered with the army group headquarters only a few kilometers away, and since you visited with the regiment regularly, would it have been possible for this regiment or the staff members thereof at Dnieper Castle, non-commissioned or otherwise, to have perpetrated or participated in the killing of 4,000 Polish prisoners between July and November of 1941 without you knowing or hearing about it in some way.

Lieutenant VON EICBORN. That was entirely impossible, for the following reasons: The army group was just preparing the great offensive against Moscow, which was supposed to terminate the war. For this reason this army group had under its command five, or I believe even as many as six, armies, and the communications officer in charge of this army group had to effect communications between the army group and those armies. The members of communications regiment 537, this army group, as well as all other communications regiments, were feverishly engaged in terminating those communications before winter set in. In order to make sure that all communications would be properly in shape and properly set up prior to the commencement of the offensive, we had to receive daily reports about the accomplishment of work done in various work sectors. Even a single day on which no work would have been effected would have become conspicuous because thus the target would not have been met in due time. Therefore,

it is utterly impossible that even a single company would not have been assigned to proper work for even as little as 1 day or more days.

Mr. FLOOD. Did you ever see or hear of the execution of any Polish prisoners by Regiment 537 in that area?

Lieutenant VON EICHBORN. No, I did not. Naturally, I did not.

Mr. FLOOD. Did reports of prisoners taken by the German units in that area come through your communications headquarters?

Lieutenant VON EICHBORN. Naturally this army group dispatched, every night, messages to supreme headquarters. These messages were received and disseminated to the leaders of the various groups.

Mr. FLOOD. Did the communications include lists of prisoners taken by the Germans?

Lieutenant VON EICHBORN. Well, it goes without saying that small numbers of prisoners such as a mere 20 or 30, that was not disseminated. However, when a major batch of prisoners was captured such as, for instance, in the Vyazma barrel, when thousands of prisoners were taken, in such an instance notification of the number of prisoners was given.

Mr. FLOOD. Would 4,000 be a big enough number to transmit?

Lieutenant VON EICHBORN. Definitely so.

Mr. FLOOD. Did your communications headquarters ever transmit to a higher command any report as to the taking of 4,000 Polish officer prisoners by the Germans anywhere in the Smolensk area?

Lieutenant VON EICHBORN. No.

Mr. FLOOD. Or any other Poles of any category?

Lieutenant VON EICHBORN. No. At least, I received notice of no such thing.

Mr. MACHROWICZ. Who was in command of the 537th regiment in September of 1941 when you were there?

Lieutenant VON EICHBORN. Colonel Bedenk.

Mr. MACHROWICZ. Do you know Colonel Ahrens?

Lieutenant VON EICHBORN. Yes, I do; he was his successor.

Mr. MACHROWICZ. Was Colonel Ahrens in that area in September or October of 1941?

Lieutenant VON EICHBORN. Colonel Ahrens took over the command of that regiment some time in November.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Any further questions?

Mr. DONDERO. No questions.

Chairman MADDEN. We wish to thank you for coming here today to testify.

The committee will reconvene at 2:30.

(Whereupon at 1 p. m. a recess was taken until 2:30 p. m.)

#### AFTERNOON SESSION

(The committee reconvened at 2 p. m.)

Chairman MADDEN. We come to order.

Who is the first witness?

Mr. FLOOD. I thought, Mr. Chairman, before we take the first witness, that it might be interesting for the committee to know that tomorrow's witnesses will be Mr. Paul R. Sweet, who is an American and Director of the Joint Allied Commission for Analysis and Doc-

umentation of Captured German Files; who will be followed by Dr. Wilhelm Zietz, former Acting Minister of Public Health and Welfare, in the former German Government, who set up and had charge of the arrangements for the International Commission of Scientists. Dr. Zietz will be followed by Dr. Florenz Orsos, distinguished Hungarian pathologist and authority on forensic medicine. He will be followed by Dr. Tramsen, a distinguished Danish pathologist; both members of the International Commission. They will be followed by Mr. von Herff, who was the forestry expert in connection with the surroundings at the Katyn graves.

Chairman MADDEN. The first witness this afternoon will be Colonel Ahrens.

**TESTIMONY OF FRIEDERICH AHRENS, ST. GOARSHAUSEN, WEINICHERSTRASSE 284, GERMANY (THROUGH INTERPRETER, MARGA MEIER)**

Chairman MADDEN. Will you give your name and address to the reporter?

Colonel AHRENS. Frederick Ahrens.

Chairman MADDEN. And your complete address?

Colonel AHRENS. St. Goarshausen-on-the-Rhine.

Chairman MADDEN. Mr. counsel, will you read statement to the witness?

Mr. MITCHELL. Before you testify, it is our wish to invite your attention to the fact that, under German law, you will not be liable for slander or libel, either in criminal or in civil proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, we wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as a result of your testimony.

Chairman MADDEN. Do you understand that?

Colonel AHRENS. Yes; I do.

Chairman MADDEN. Will you raise your right hand, please, and be sworn?

Do you solemnly swear, by God the Almighty, that you will, to the best of your knowledge, not conceal anything and tell the truth, the whole truth; so help you God?

Colonel AHRENS. I do.

Mr. FLOOD. What is your full name?

Colonel AHRENS. Ahrens, Friedrich.

Mr. FLOOD. Were you ever identified with the German armed forces?

Colonel AHRENS. Yes.

Mr. FLOOD. What was your rank and in what capacity were you serving on the eastern front in the Smolensk area?

Colonel AHRENS. When I came to Russia, in the area of Smolensk, I had the rank of a lieutenant colonel.

Mr. FLOOD. When did you get to the Smolensk area; what date, year, and month?

Colonel AHRENS. During the first days of November 1941.

Mr. FLOOD. Where did you come from?



Colonel AHRENS. I was commander of a signal training regiment in Halle-on-the-Saale.

Mr. FLOOD. Is that in Saxony?

Colonel AHRENS. Yes; Province of Saxony.

Mr. FLOOD. What was your job there?

Colonel AHRENS. I was commander of a training regiment, and we trained there special troop units for use at the battle areas. Furthermore, the regiment provided troop units for special training and training institutions.

Mr. FLOOD. Were you a specialist in communications?

Colonel AHRENS. I think I can say that; yes.

Mr. FLOOD. What date did you take over your new command in the Smolensk area?

Colonel AHRENS. I arrived in Smolensk during the first days of November 1941.

Mr. FLOOD. Whom did you succeed?

Colonel AHRENS. I was a successor of Colonel Bedenk.

Mr. FLOOD. Who was your immediate superior?

Colonel AHRENS. My immediate superior was General Oberhaeuser.

Mr. FLOOD. Were you at the hearings before the committee yesterday?

Colonel AHRENS. No; I was not.

Mr. FLOOD. Were you here this morning?

Colonel AHRENS. Yes; I was.

Mr. FLOOD. Did you hear the testimony of General Oberhaeuser this morning?

Colonel AHRENS. Yes; I did.

Mr. FLOOD. And that was the same General Oberhaeuser who was your commanding officer?

Colonel AHRENS. Yes.

Mr. FLOOD. Do you have any copies of any documents or the documents themselves, or any newspaper articles or banquet menus, or anything that would indicate that you were at this training school in Saxony at the time you say you were there?

Colonel AHRENS. I used to live in Halle, and in Halle I lost everything I possessed; all that had fallen into Russian hands. But I believe that I might be able to get such information, such documents, from Colonel Brinkman, or from some other agency who might still have such documents or copies of such documents; and it is possible that I will find some documents at home. I will see to it and try to find something.

Mr. FLOOD. Who was that colonel you mentioned?

Colonel AHRENS. Colonel Brinkman was personnel officer with the Army personnel office, and he was personnel officer for the communications troops.

Mr. FLOOD. Where is he now?

Colonel AHRENS. He is living at Hoexter-on-the-Weser.

Mr. FLOOD. The committee would appreciate it very much if you would make every reasonable effort to obtain such original documents and, with the cooperation of the nearest Consul General of the United States of America or some proper attaché of the Americans at Bonn, forward such documents, with a certificate attached, to this committee at its Washington address.

Colonel AHRENS. The officer in charge of transfers to the home army was Colonel Hassel, and he should be able to give any information as to these transfers. I had seen him repeatedly during the last months of the summer and the early fall of 1941 in his Berlin office. Today he is living in Emden.

My commanding officer with the home army was Mueller, who is living in southern Germany today, and his address is known.

This home regiment was a rather strong regiment of about 4,800 persons, and I can name you a sufficient number of officers and non-commissioned officers who could give you information as to my stay in Halle.

Mr. FLOOD. The committee will cooperate in any way it can to obtain for you any certification of these facts, if they are true, from any Wehrmacht records that the Americans may have, if it is at all possible.

Colonel AHRENS. Furthermore, I could give you a number of names of families, civilians, with whom we had social contact. My wife lived at Halle also, and we had social contact with these people and they could testify as to that.

Mr. FLOOD. We are interested at this point in documentation of your statement.

This, as you are aware, has significance because of the fact that the Soviet report claims that you were the commanding officer of a German regiment that executed these Poles between July and November of 1941; and, of course, you say you did not get to the Katyn area until November of 1941.

Colonel AHRENS. I do not only say that, but it is a fact; and this fact can be seen from the following fact: I met General Oberhaeuser for the first time in my life in November 1941, and he will be able to testify as to that.

I also met Mr. Eichborn.

Mr. FLOOD. General Oberhaeuser testified this morning, and the record can speak for itself on that.

Where did you set up your staff headquarters after you took over from Colonel Bedenk at Katyn?

Colonel AHRENS. In the beginning, for about 2 weeks, I was together with Colonel Bedenk on the staff because I wanted to get acquainted with this task in Russia, which was new to me. Then afterwards, the regiment was given to me, and I remained in the same quarters and accommodations where the headquarters used to be before.

Mr. FLOOD. What regiment?

Colonel AHRENS. This was the army group, Signal Regiment No. 537.

Mr. FLOOD. What were the duties of the regiment?

Colonel AHRENS. The duties of the regiment were to have connections and communication, that is, telephone and teletype, between the headquarters of the staff and the various armies, and, furthermore, to have contact with the subordinate offices and with the neighboring units.

Mr. FLOOD. You say you were here when General Oberhaeuser testified this morning. You heard him, then, go into considerable length and detail in describing the physical premises of the Dneiper Castle

and the area surrounding the Dneiper Castle and the distances, in kilometers, between the Dneiper Castle and the village of Katyn and the city of Smolensk, and General Oberhaeuser's headquarters, and the army group center headquarters.

Colonel AHRENS. I did hear that, yes.

Mr. FLOOD. Can you corroborate the testimony given by the general with reference to those particular facts?

Colonel AHRENS. In general, yes, I can corroborate it. However, there was one slight error which General Oberhaeuser made this morning, that is, that the distance between the Dneiper Castle and the main road is not 400 meters, as he testified to this morning, but approximately 1 kilometer; which is slightly longer. At least, that is how I recollect it.

Mr. FLOOD. That is the best of your recollection, is it?

Colonel AHRENS. Yes.

Mr. FLOOD. I would like your opinion as to the density of the woods or forest as between the main Smolensk highway and the Dneiper Castle.

Colonel AHRENS. This forest was a forest of mixed groves. It must have been very dense originally, but due to the fights that took place in there, it was not very dense afterwards. There were a few clearings in that forest, and the road was west and the forest was west of the road, and the road was going from north to south. Now, west of this road the forest was not as dense as on the other side of the road.

Mr. FLOOD. By the way, Mr. Madden, the chairman, inquired the other day of one of the witnesses as to the area of the entire so-called Katyn Forest. We never had an answer on that. Can you give any opinion as to the number of acres or the number of kilometers square covered by the entire Katyn Forest, so-called?

Colonel AHRENS. I have to go into some detail as to that. If you left Smolensk in the direction toward Vyazma, then you would meet the first wood approximately 8 kilometers from Smolensk. This was the forest of the wood of Krasny Bor. As you went on, you passed the little town of Gniezdowo—I spell it G-n-e-z-d-o-w-a—and then you have to cross a railway line, and there was a slight slope; and left of that, that is, south of Smolensk, you had another forest. This forest extended over several kilometers along the street.

The first part of this forest was the little forest which belonged to my regimental staff, and this little forest covered about one square kilometer, and it was fenced in. But the forest extended on for many kilometers. South, the forest was limited by the Dneiper, which went along there, and on the Dneiper, on a very steep slope at the Dneiper, the Dneiper Castle was situated, where our quarters were.

Mr. FLOOD. Just a minute.

Will you have the stenographer mark this as exhibit 3?

(The document referred to was marked "Exhibit 3" for identification and is shown on p. 1291.)

Mr. FLOOD. I now show the witness a document containing a picture, which is exhibit 3, and ask him whether or not he can identify that picture.

Colonel AHRENS. I am able to identify this picture. It is a picture of the regimental staff quarters. There is one thing very interesting with this picture because very close to the house there are trees. These

trees have been planted artificially for purposes of aircraft protection, protection from aircraft, and if I see correctly, there are small trees on the roof, which were planted there for the same reason.

Mr. FLOOD. Who planted them?

Colonel AHRENS. This was done on my order; and this was very important, because time and again, I had to see that my forest, as I used to call this little forest, was cleared by other troop units. Thus, I was deprived of air protection, and, actually on the 22d of January 1942, I experienced a successful air attack on our house. Of five bombs that were dropped, three hit.

There, after the attack, I had the trees planted on the roof, and I also had patrols going on to prevent further trees from being cut.

Mr. FLOOD. Colonel, you seem to have a flair for detail and description. I wish you would, for the record, describe for us your impression of this so-called Dnieper Castle. What did it look like inside? What did you think of it? Did it interest you, or were you curious at all?

Colonel AHRENS. I am glad to do that.

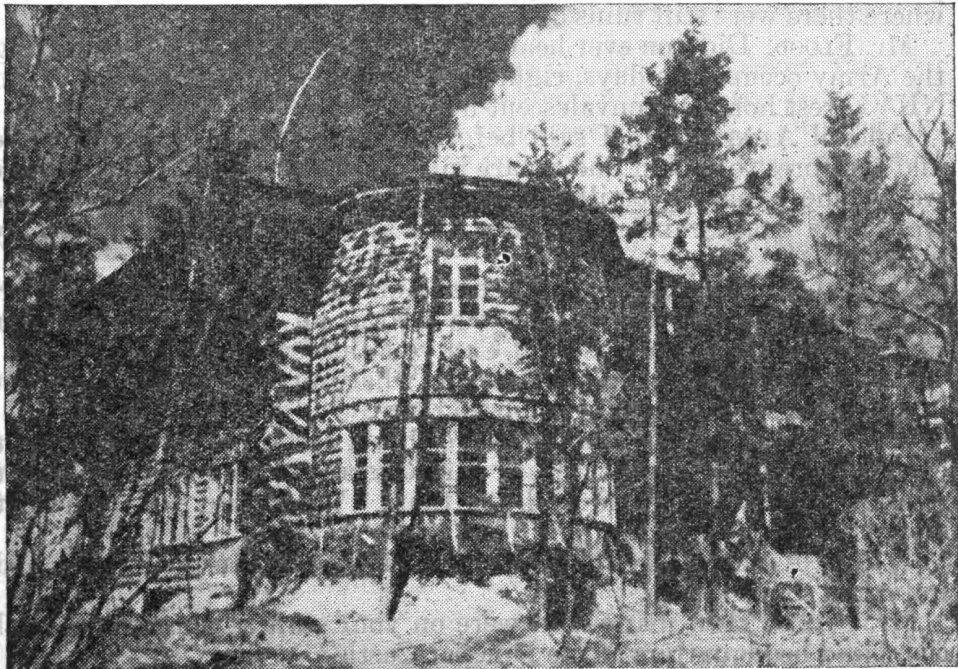
Mr. FLOOD. Are you finished with the picture?

Colonel AHRENS. Yes.

Mr. FLOOD. We want that placed in evidence.

(Exhibit 3 is as follows:)

EXHIBIT 3



Dnieper Castle, headquarters of Signal Regiment 537

Colonel AHRENS. This house was situated very isolated, and there was no other building in a distance of about 2 to 3 kilometers. As I said, it was situated in very beautiful landscape, and, for Russian conditions, it was an extremely nice and splendorous building, as far as the outer view was concerned, as well as the inside construction.

For instance, there were balconies all around the house, on the ground floor and the first floor. It contained approximately 20 rooms, that is, the main building contained about 20 rooms. There were two bathrooms and a cinema room, and the apparatus was built in. Two rooms were sort of halls, on the ground floor as well as on the first floor.

There were buildings for functional purposes, containing a very large kitchen, and there were further rooms for servants. There was water installation and central heating. Furthermore, there was a big garage and a workshop in a neighboring building, a steam bath, stables, and a tennis court and, furthermore, a rifle range.

Mr. FLOOD. A rifle range.

Colonel AHRENS. For pistol shooting.

As I said before, the front of the building was on a slope to the Dneiper, and the back part was surrounded by the forest. The part from the road which led from the Dnieper Castle to the main road had several roads through the forest, which you could use for taking walks. The whole building gave the impression of a real castle.

Mr. FLOOD. Did you ever hear, during the time you were there, any rumors or statements as to what this castle was used for during the Russian occupation days?

Colonel AHRENS. I did not hear any rumors as to that, at least not at first, and I was under the impression that probably during the times of the Czar, this must have been the summer place of some prince, and this prince was supposed to have had a farm in Mikolino, where there were still ruins of another big building.

Mr. FLOOD. Did you ever hear that the Castle had been used during the Army occupation days, right before the Germans got there, as an NKVD rest home or convalescent home?

Colonel AHRENS. As I said before, this area, this Dnieper Castle and the forest of about one square kilometer was fenced in, and there were rumors that the civilian population, before the beginning of the war, were not permitted to enter this area, which was guarded by guards.

Mr. FLOOD. What is the answer to my question? Did you ever hear, when you were there, that this was used as an NKVD rest home or convalescent home, the castle? Can you answer yes or no?

Colonel AHRENS. I did not hear for what purposes it was used, but it was said that commissars had been there.

Mr. FLOOD. You said a minute ago that a certain area within sight of this fenced forest was used, or the Russians or somebody said that it was "Verboten." Who told you that? Where did you hear that story?

Colonel AHRENS. My soldiers said that the civilian population had indicated that to them.

Mr. FLOOD. How many men were on your staff at your regimental command headquarters at the Dnieper Castle?

Colonel AHRENS. When I took over the regiment, there were about 50; later on, half as many, about 25.

Mr. FLOOD. How many noncommissioned officers and how many commissioned officers in your regimental staff were there at the castle?

Colonel AHRENS. In the beginning, there were three officers; later on, there were only two; and about five to six noncommissioned officers. At times there may have been seven noncommissioned officers.

Mr. FLOOD. How many individuals, noncommissioned and commissioned, at your regimental staff headquarters, carried sidearms, pistols?

Colonel AHRENS. The noncommissioned officers carried pistols.

Mr. FLOOD. How many?

Colonel AHRENS. Each noncommissioned officer, one pistol.

Mr. FLOOD. How many noncommissioned officers were there?

Colonel AHRENS. Five to six.

Mr. FLOOD. Did the officers carry sidearms?

Colonel AHRENS. Also one pistol each.

Mr. FLOOD. How many officers carried pistols?

Colonel AHRENS. Each officer, one pistol. And in the beginning, we were four officers and later on we were three.

Mr. FLOOD. Were you responsible for your own security measures as the regimental commanding officer?

Colonel AHRENS. Yes, I was.

Mr. FLOOD. What security measures did you set up after you took over from Colonel Bedenk?

Colonel AHRENS. I arranged the defense of the regimental staff so that it could be defended with very few people. I had the firewood piled up around the house in such a way that it built sort of a wall.

Mr. FLOOD. When you took over from Colonel Bedenk in November of 1941, was the area cordoned off, "Verboten," with armed guards all around the forest and the highway?

Colonel AHRENS. It was not cordoned off, nor was it forbidden to enter the area.

Mr. FLOOD. Congressman Dondero this morning asked General Oberhaeuser whether or not Bedenk or you had the area posted with signs that anybody that trespassed there would be shot. Did you put up any signs of that sort; or when you got there and took over from Bedenk, were there any such signs up?

Colonel AHRENS. No.

Mr. FLOOD. Did you have any other duties in the general area, other than being commanding officer of the communications regiment?

Colonel AHRENS. Yes. I also had the task of defending the western part of Smolensk, from January 1942 on.

Mr. FLOOD. What was the nature of that task?

Colonel AHRENS. The army group was at that time threatened by the Russians breaking through at Bjloj.

If I remember correctly, the spelling is B-j-l-o-j.

At that time the troop units stationed in the area west of Smolensk were taken together into a defense unit, and this defense unit was technically under my command.

Mr. FLOOD. Under your command for those technical reasons, did you conduct any maneuvers of any sort in the area? Did you conduct any practice maneuvers?

Colonel AHRENS. First of all, we built fortifications, and after they were finished, they were occupied just for the purpose of practicing.

Mr. FLOOD. What I mean is: Did you conduct any practice maneuvers of your defense troops in the Katyn Forest area?

Colonel AHRENS. No. I had nothing to do with these practice maneuvers. These practice maneuvers were carried out by the troop units themselves, and this was done particularly in the area north of Smolensk.

Mr. FLOOD. Was there any shooting going on in the practice maneuvers?

Colonel AHRENS. No.

Mr. FLOOD. During the time that you were in the Smolensk area, from November of 1940, when you took over, did you see any Polish prisoners of any category in that area?

Colonel AHRENS. No; I did not.

Mr. FLOOD. Did you ever receive any order from General Oberhaeuser or from the supreme command, or from any SS generals or anybody else, to kill any prisoners of war, especially Poles?

Colonel AHRENS. No; I did not.

Mr. FLOOD. Did you hear of any shooting of Poles going on in the Katyn Forest area near your headquarters at any time, before you got there or while you were there?

Colonel AHRENS. No, I did not. But I certainly would have heard it if it had happened.

Mr. FLOOD. Would it have been possible for the execution of 4,000 Polish officers to have taken place within a few hundred meters of your regimental staff headquarters, day or night, during the time you were in command, that you would not, first, have heard about it or, secondly, seen it?

Colonel AHRENS. This is completely impossible. This was impossible also for the reason that our staff headquarters was very close to the headquarters of the army group, and no one was doing any shooting there. This was just impossible.

Mr. FLOOD. You had Russians on your regimental staff, did you; domestic workers?

Colonel AHRENS. Yes; so-called "Hivis." There were four.

Mr. FLOOD. Men and women?

Colonel AHRENS. The "Hivis" were men. They were former Russian prisoners of war, and they were very nice and very skilled in their work and very nice in their attitude towards the staff.

Chairman MADDEN. I might announce at this time that we have a number of very important witnesses tomorrow, and the sessions tomorrow will start at 9:30.

Mr. FLOOD. Did you ever hear them discuss, or did they tell you or any of your brother officers, about the shooting of Poles in the area, or rumors of them?

Colonel AHRENS. No. And they could not do that because they came from quite another area of Russia.

Mr. FLOOD. Did you ever give any orders to your Russian civilian workers or POW's that they were not to leave the Dnieper Castle, they were not to walk in the area, they were not to enter any of the rooms of the Dnieper Castle, unless with German escort?

Colonel AHRENS. The answer to your first question is no. In our Staff Headquarters, we had extremely secret material, in particular, maps; and therefore the rooms in which this secret material was kept could not be entered by anyone else except the officers in charge. But, although, the cleaning of the quarters could not be done except under

supervision, because in there were several things which they would not like to be seen except if someone else was around.

Mr. FLOOD. In 1943, during the period of time you were there and in command, do you know of any convoys of trucks, above normal transport and above normal traffic, that were bringing in, or said to be bringing in, thousands of dead bodies from other areas, in 1943?

Colonel AHRENS. No, I do not. That is impossible.

Mr. FLOOD. You were present at Katyn, in the Dnieper Castle, in April of 1943, when the Germans made their announcement of the discovery of the bodies, were you not?

Colonel AHRENS. Yes.

Mr. FLOOD. How long had you been in the Dnieper Castle in the Katyn woods before April of 1943?

Colonel AHRENS. I was in the Dnieper Castle from November 1941 to August 1943. During the last weeks, in August 1943, I was not permanently in the Dnieper Castle, but partly I stayed in Vyazma, because the staff of the army group had been transferred back to that location.

Mr. FLOOD. In any event, you had been in the area from November of 1941 until April 1943, and you had been walking around in the area and back and forth all that time; had you not?

Colonel AHRENS. In general, I stayed over the week ends in the staff headquarters in Katyn; whereas, during the week, I used to stay with my troop units at the front.

Mr. FLOOD. Regardless of that, the fact remains that you know these graves were found just a few meters from your headquarters, at the Dnieper Castle; is not that correct?

Colonel AHRENS. Yes, of course; 600 meters away from the regimental staff headquarters.

Mr. FLOOD. From November of 1941 until April 13, 1943, you had been living in the Dnieper Castle; you had been living in the headquarters just a few hundred meters from where these graves were found, and you had no idea they were there; you never saw them or heard about them; is that what you want to say?

Colonel AHRENS. I never saw them, and I even could not have seen them because if you saw how these graves were built, you need not be astonished that we did not see them. It was just impossible to see them.

There were many more graves, and some of them were immediately in front of my house door. There were about 20 or 30 graves. I had no idea about them and still they were there.

Mr. FLOOD. Did you ever see any birch crosses on any graves in the vicinity of where the Germans uncovered the Polish bodies, at any time?

Colonel AHRENS. I saw one birch cross. I only saw one birch cross. This was among brushes on a little hill. The ground was rather uneven, and it was covered with birch trees of about four or five years of age. And there was brush around, and there I saw one birch cross.

Mr. FLOOD. Did you ever ask anybody about the birch cross? Did it have enough significance to you for you to ask your people what it was or how it got there?

Colonel AHRENS. In the vicinity of this area, there had been fighting going on, and there were quite a number of graves there. There were



more graves there. Partly they were graves with crosses on them and helmets, so that you know there were graves.

And then there were also small hills, where you could assume that these were supposed to be graves, but they were a little apart from this area.

But it was nothing particular to find a cross in this area; you could also find it on the road or on the airfield, that some troop unit put a cross there for some reason.

Mr. FLOOD. Did you have any reports from any of your people in that area, or from any of your command, about the graves of Polish officers, or big graves, or bones being found in the area where later the Katyn graves were discovered? Did you have any such conversations? Did you do anything about it?

Colonel AHRENS. One has to differentiate to distinguish between several rumors. There rumors about these mass shootings which allegedly were going on around Katyn, and then there were other rumors about this Kommissar who had been in this area, long, long ago, about 1920. And the population told about things that had happened, about which they were not sure.

The rumors mentioned first, the rumors as to mass shootings, I did not hear; but toward the middle of 1942, now and then it was said and remarks were made that, allegedly, while this Kommissar had been there long, long ago, and when this whole area was fenced in, that shootings had been going on. I did not attach too much significance to these rumors because I had seen the G.P.U. prisons in Smolensk and I was under the impression that the executions were carried out there.

Mr. FLOOD. Had you heard that in the Katyn area the Russians had made a burial place of the vicinity of your headquarters for executed Russian civilians?

Colonel AHRENS. No, I had not.

Mr. FLOOD. Did you ever talk to any Russians at any time, who lived around the Katyn Forest; any people who lived there?

Colonel AHRENS. Yes; and after the graves had been found.

Mr. FLOOD. What was the nature of that conversation?

Colonel AHRENS. In our area we had a Russian couple who were beekeepers. They had a number of beehives, and that is why they were there. And this couple had contact with our staff. And after the graves had been opened, the husband, who spoke German, told me that he originally lived between Katyn and Gniezdowo, and they were living a little off the road, and there they observed that railroad cars, big cars, were coming, of approximately 50 tons each, and in each of these cars there were about 200 people.

(NOTE.—Refer to exhibit 78.)

Mr. FLOOD. Just a minute. When was that?

Colonel AHRENS. That was in the end of April 1943; when he told me that it was the end of April 1943.

Mr. FLOOD. When did these Russian people tell you that the things they were telling you about happened?

Colonel AHRENS. According to his statement, in March and April 1940.

And that these people then were put on trucks, and they were fettered, and then they disappeared in this area and shots were heard.

Mr. FLOOD. Do you remember the names of those Russian people?

Colonel AHRENS. I had been seeing a member of my regimental staff a short while ago. This man's name is Hoerfle and he is living in Moorbach, and this man remembers the name of these Russian people. He told me that a short time ago.

Mr. FLOOD. During the time you were in command there, did you ever put up in your quarters, groups of up to 25 in number, of any kind of special German troops who did not belong to your own regiment?

Colonel AHRENS. No; never. And that could not be done; it was impossible.

Mr. FLOOD. General Oberhaeuser told us this morning that he had great respect for you and for Colonel Bedenk and that he trusted you both implicitly, and that he was satisfied that if there was any information around there dealing with graves or these matters we are talking about and that if either of you two knew about it you would have told him. You heard him say that.

Colonel AHRENS. Of course, it is correct, because if there were graves, he did see them himself.

Mr. FLOOD. Of course, you told us of a lot of rumors and a lot of reports that were being brought to you. Why did you not communicate with General Oberhaeuser and tell him of all this information that was being brought to you about this area?

Colonel AHRENS. There were not many rumors. More or less, they were just remarks, isolated remarks, by members of my staff, and I did not consider them anything else but occasional remarks. General Oberhaeuser and I were in war and we were occupied with our tasks day and night and were completely occupied with work. So we had no time to talk about things which were not directly to the point. And, besides, I considered these rumors or remarks very unimportant.

Nevertheless, when General von Gersdorff visited me one—it was in the summer of 1942; probably in August 1942, during the afternoon—during an afternoon we talked about the Dnieper Castle and what this Dnieper Castle might have been used for before, and we also were talking about the rumor that a commissar had been there before.

And on this occasion I mentioned to General von Gersdorff—and I did it quite incidentally—that apparently and according to what the soldiers told me, some time ago, people must have been shot there. But this referred to the second kind of rumor I mentioned before, long, long before the war.

Mr. DONDERO. You had nothing to do with the exhumations and the proceedings that took place on the part of the Germans after the bodies had been exhumed in April of 1943 and the announcement was made; you were not in command of those exhumations after that, were you?

Colonel AHRENS. No; I had nothing to do with that. We only had to suffer from it.

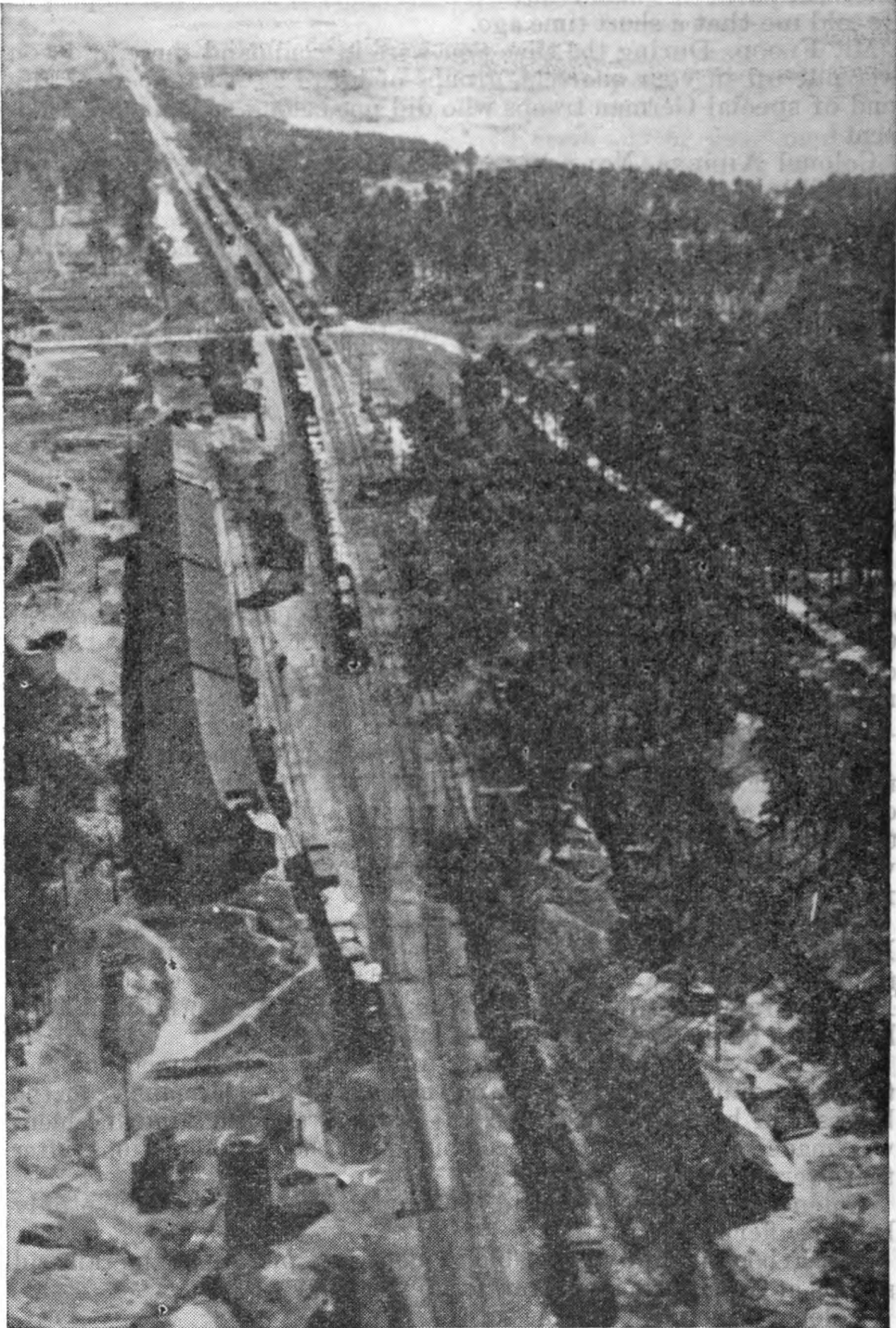
Mr. FLOOD. Would you be able to identify a picture of the railroad station at Gniezdowo if you saw it, do you think?

Colonel AHRENS. I assume so, yes.

Mr. FLOOD. Will you have this picture marked as "Exhibit No. 4"?

(The picture referred to marked for identification as "Exhibit No. 4" follows:)

EXHIBIT No. 4



Railroad station at Gniezdowo, Russia

Mr. FLOOD. I now show the witness exhibit No. 4 and ask him whether or not he can identify that picture?

Colonel AHRENS. I would not be able to identify it with certainty.

Mr. FLOOD. What do you think it is?

Colonel AHRENS. It might be that this picture was taken at the time, of the station of Gniezdowo, when I was not there yet, because, as far as I can see, there are a few trains on the picture which I do not remember from the time I was there, if these trains were destroyed trains and not just trains passing through.

I would not be able to identify it with certainty.

Mr. FLOOD. Very well. That is all.

Colonel AHRENS. Judging from the size, it might be the station; but I do not remember it correctly, although I saw it several times from the air.

Mr. MACHROWICZ. Witness, when did you first hear of the Russian charge in which they named you as the party responsible for the killing of these Polish officers?

Colonel AHRENS. In February 1946.

Mr. MACHROWICZ. That was before you testified at the Nuremberg trial?

Colonel AHRENS. Yes, and I heard it over the radio in a report given by reporter Gustav Ohlmann.

Mr. MACHROWICZ. And did you later read the entire Russian report?

Colonel AHRENS. When, immediately after having heard the report, I went to see Dr. Stahmer at Nurnberg, I learned more details about this report from Dr. Stahmer, and later on, he also furnished me with excerpts from this report.

Mr. MACHROWICZ. You know that in this report the Russians charged you were there in the months of July, August, September, and October 1941, do you not?

Colonel AHRENS. I do not know that. All I know is that they charged me with having shot 4,200, respectively 11,000 Polish officers during the time between the 1st and the 20th of September 1941.

Mr. MACHROWICZ. As you testified here before, you were not there in those months, were you?

Colonel AHRENS. No.

Mr. MACHROWICZ. What have you done since 1946 to prove conclusively that you were not there in those months?

Colonel AHRENS. I immediately put myself at the disposal of the Nuremberg court without being asked, and I even had difficulty in being heard because we were rejected as witnesses, and it was only due to the initiative of Mr. von Eichborn that we were heard and interrogated.

Mr. MACHROWICZ. Have you made any efforts in the meantime to find any documents to show you were not there in those months?

Colonel AHRENS. I did not consider that necessary because there are hundreds and hundreds of people with whom I was together every day who could testify I was together with them in Halle. I could bring hundreds and hundreds of people to testify, but I do not have documents.

Mr. MACHROWICZ. Did you hire any local Russian women from that area to help in your kitchen and other similar duties?

Colonel AHRENS. That had already been done when I came there and some of them remained and new workers came. There was a constant change-over of these workers and I did not bother about that in detail.

Mr. MACHROWICZ. You don't speak Russian, do you?

Colonel AHRENS. No, I do not.

Mr. MACHROWICZ. And in speaking to them, you used an interpreter, did you not?

Colonel AHRENS. I never spoke with them, except for the Hiwis. I never talked to the female workers.

Mr. MACHROWICZ. Didn't you have an interpreter whose first name was Johann who acted for you as an interpreter in talking to these women who were used in the kitchen?

Colonel AHRENS. No, I never went into the kitchen and talked to the women. That never happened.

Mr. MACHROWICZ. Now, the Russians charged that you personally instructed at least three of these women, through your interpreter, that they should not come to and from work except through certain definitely described roads and only in the company of soldiers. Did you ever personally issue such instructions?

Colonel AHRENS. No, I never gave such an order. I did not have an interpreter at all. There were some people who spoke some Russian. It might be possible that some of them told these people that they should do all this and that they had told them that, but I didn't bother about that at all and I certainly didn't give such an order.

Mr. MACHROWICZ. Did you have a German, whose first name was Gustav, who was a cook there? Do you remember that?

Colonel AHRENS. Yes, he fell in action.

Mr. MACHROWICZ. Was Gustav the one that handled the hiring of these women?

Colonel AHRENS. No, Gustav was their superior. He had them under him. The hiring was done by a noncommissioned officer by the name of Rose who was in charge of kitchen supplies.

Mr. MACHROWICZ. How did you first find out about the finding of the graves, and when?

Colonel AHRENS. First of all, I heard it through official channels, as was pointed out this morning by General Oberhaeuser, but, apart from that, I had some personal experience and by a mere accident I found some human bones, or rather, these bones were brought to me. This was in connection with the story about the wolf which I do not want to tell here. Now, these human bones were brought to me and I assumed that they belonged to some people who had fallen in action, and I informed the officer in charge of war graves that he should look into that. The finding of such graves was nothing unusual and, therefore, this was not mentioned in particular and no one made any fuss about that.

Mr. MACHROWICZ. When was that?

Colonel AHRENS. This was approximately at the end of January 1943, or at the beginning of February when these graves were dug open by the wolf. These bones were brought to me approximately 4 weeks later when the snow had thawed away because these graves were situated toward the south, on the southern slope of one of these mass graves. There was a little hole there and the Hiwis found these bones,

but they were brought to me about 4 weeks later. I should say toward the middle of March 1943.

Mr. MACHROWICZ. Prior to that time, did you have any knowledge of the existence of those graves?

Colonel AHRENS. No, I did not.

Mr. MACHROWICZ. Did you have a noncommissioned officer working under you by the name of Rose?

Colonel AHRENS. Yes, this is the one I mentioned before who was in charge of supplies and who also hired these Russian women.

Mr. MACHROWICZ. Have you ever been instructed by anyone as to what you should say at this hearing?

Colonel AHRENS. No.

Mr. MACHROWICZ. Of course, you realize the gravity of the charges made against you by the Russians, do you not?

Colonel AHRENS. Yes, of course, I realize that, but, of course, I wasn't there. I did all that in absentia.

Mr. MACHROWICZ. Have you been charged as a party defendant of the Nurnberg trial?

Colonel AHRENS. No, I have not, and after I had given my testimony the whole affair was dropped because it had been proved I arrived in Russia only in November.

Mr. MACHROWICZ. Has it ever occurred strange to you that although the Russians, before the Nurnberg trial, charged you directly as being the one guilty as the person who committed the murders, yet you were never named party defendant in Nurnberg?

Colonel AHRENS. Of course, this did seem strange to me and I did not know why this was like that, but, of course, they had given my name as Arnes.

Mr. MACHROWICZ. When they spoke of Oberstleutnant Arnes you knew there was only one person who could answer that description—that was yourself, is that not correct?

Colonel AHRENS. I have read the charge and all this is supposed to have happened during the fall of 1941 but, at that time, I was not in this area and all that was said in the Russian report or charge happened approximately 1 year later apparently as it was described in the Russian report, and the newspaper Taegliche Rundschau also gave this story again now and everything the Russians write there and which actually happened in 1942, similar to the way they described it as having happened in 1941, and they even gave more details in this newspaper concerning girls, but I do not want to go into that. All this is said to have happened in 1941 when I was not there but when Colonel Bedenk was there, and, actually, everything happened approximately one year later.

Mr. MACHROWICZ. There is one other significant matter in the Russian document which has not been commented on, but I want you to tell me what you have to say about it. In this charge they claim that battalion 537 posed under the pretext that it was a signal battalion, but it actually wasn't. Now, what have you to say about that?

Colonel AHRENS. As far as I can recollect, the Russian report calls this battalion a construction battalion. Furthermore, in front of our regimental staff headquarters there was a flag and this was a square flag. Now, regimental flags were square flags, whereas the battalion flags were triangular flags.

Mr. MACHROWICZ. I'll read to you paragraph 3 of the general conclusions of the so-called Russian Special Commission: "The mass shootings of Polish prisoners of war in the Katyn Forest were carried out by a German military organization hiding behind the conventional name of headquarters of the Five Hundred and Thirty-seventh Engineering Battalion, which was headed by Lieutenant Colonel Arnes and his subordinates, Lieutenant Rokst and Second Lieutenant Hodt."

Colonel AHRENS. It is said there we took as a disguise the name of an engineering battalion and I want to ask the question here: "For whom did we have to use it as a disguise?"

Mr. MACHROWICZ. You will have to ask the Russians that question, I'm afraid. I can't answer it.

Colonel AHRENS. I just ask this question because you read the Russian document to me.

In front of our staff headquarters there was our regimental flag and on this flag there was written: "HNR 537," Heeresgruppe Nachrichten Regiment, army group signal regiment 537.

Mr. MACHROWICZ. I gather then that you deny that you were hiding behind any masquerade and that you were actually the kind of battalion you say you were?

Colonel AHRENS. May I have the sketch which General Oberhaeuser put before the committee this morning? There you can see that. May I ask the General to put it at my disposal at this minute.

(NOTE.—Refer to exhibit 74.)

Mr. FLOOD. General Oberhaeuser had left.

Mr. MACHROWICZ. That's all.

Colonel AHRENS. May I say one thing more in addition?

Chairman MADDEN. Yes, go ahead.

Colonel AHRENS. Our regimental flag showed very clearly the name and the troop unit of our battalion because that is what the flag was there for so that people who wanted to come to us could find us.

Mr. DONDERO. Did I understand you correctly and did the committee understand you correctly that the first to find these graves were the wolves and wild animals?

Colonel AHRENS. One wolf had been digging there. That could be seen from a trace, but, at that time, it was winter and there was snow and ice there and we did not know yet that they were graves, but, after the snow had thawed, one could see that they were graves and that the wolf had been digging for bones.

Chairman MADDEN. You have covered the facts in your testimony and answered the questions asked and added comments very well and, of course, the committee realizes that you have been charged with a serious international crime in this report here and we are glad to give you an opportunity today to tell your side and to tell the facts in your testimony. If there is anything else that you would like to say to the committee, we would be glad to hear it and, if not, you can be excused.

Colonel AHRENS. I have nothing to add. I just want to thank the committee that I was given an opportunity to give my testimony here.

Chairman MADDEN. Thank you.

Mr. MACHROWICZ. I want you to know that the committee was willing to give the equal opportunity to those charged with the crime

from the Russian group, but that they apparently did not care to benefit from that opportunity.

Chairman MADDEN. In other words, this committee has invited the Russian Government to appear before this committee, but they have rejected that invitation.

Colonel AHRENS. I really do regret that.

Chairman MADDEN. Thank you.

We'll take a recess for about 3 minutes and then will hear from General Rudolph von Gersdorff.

(Whereupon, a recess was taken.)

Chairman MADDEN. General von Gersdorff.

#### TESTIMONY OF RUDOLPH VON GERSDORFF (THROUGH THE INTERPRETER ECKHARDT VON HAHN)

Chairman MADDEN. The counsel will read a statement to you.

Mr. MITCHELL. Before you testify, it is our wish to invite your attention to the fact that under German law you will not be liable for slander or libel, either in criminal or in civil proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as the result of your testimony.

Do you understand the statement?

General VON GERSDORFF. Yes.

Chairman MADDEN. You will be sworn, General.

Do you solemnly swear, by God the Almighty, that you will testify to your own knowledge of the facts concerning these hearings and to the truth, so help you God?

General VON GERSDORFF. I swear, so help me God.

Mr. FLOOD. What is your full name?

General VON GERSDORFF. Rudolph Christof Friehardt von Gersdorff.

Mr. FLOOD. Were you ever identified with the German armed forces?

General VON GERSDORFF. Yes, I was an officer on active service, a professional officer.

Mr. FLOOD. What was the highest rank you reached in the armed services?

General VON GERSDORFF. Major General.

Mr. FLOOD. What was your rank and what was the nature of your duty in 1941 on the so-called eastern or Russian front?

General VON GERSDORFF. From April 1941, to September 1943, I was third general staff officer of the army group center which corresponds to the position of G-2 in the United States Army.

Mr. FLOOD. By G-2, you mean intelligence?

General VON GERSDORFF. Yes, my main duties were to collect information about the enemy. Besides, I was in charge of counterintelligence, propaganda, and care of the troops.

Mr. FLOOD. You were, in other words, chief of intelligence of the army group center?

General VON GERSDORFF. Yes.

Mr. FLOOD. What was your rank?



General VON GERSDORFF. At first, I was a major and was then promoted to the rank of colonel subsequently.

Mr. FLOOD. Then you were the Colonel von Gersdorff who has been referred to in the Smolensk area as chief of intelligence between July and December of 1941?

General VON GERSDORFF. It couldn't possibly be anyone else but me, but, at that time, I was merely a major on the general staff.

Mr. FLOOD. And you were the Colonel von Gersdorff referred to in 1943 as being chief of intelligence in the Smolensk area?

General VON GERSDORFF. Yes, that is correct.

Mr. FLOOD. When did you move into the Smolensk army group center command?

General VON GERSDORFF. I moved into the Smolensk area with the staff of the central army group in the first days of September 1941, but, on a previous occasion, I had already visited this area once.

Mr. FLOOD. When, and why?

General VON GERSDORFF. I do not exactly recollect the date, but it must have been late in July or early in August of the same year, and it was my practice to enter an area which had just been conquered as quickly as possible, being chief of intelligence, so as to have an opportunity of interrogating important Russian prisoners that had been brought in.

Mr. FLOOD. How many days were you in the Smolensk area on that visit after the combat troops moved forward?

General VON GERSDORFF. I do not recollect the exact number of days, but it was only a few days after the combat troops had gone forward.

Mr. FLOOD. As chief of intelligence and one of your duties being, as you described, the interrogation of combat troops taken in that area, on that visit to the Smolensk area did you interrogate any Polish prisoners of any category?

General VON GERSDORFF. During the whole Russian campaign, I never saw or interrogated a Polish prisoner.

Mr. FLOOD. Did you ever see any dead ones?

General VON GERSDORFF. After the dead bodies of the Polish officers in Katyn Forest had been exhumed, I saw Polish dead for the first time.

Mr. FLOOD. That's the only time you saw any live Polish officers, soldiers, or enlisted personnel, between July 1942, and the time the bodies were exhumed at Katyn in April 1943?

General VON GERSDORFF. Yes; they were the first and only Poles, dead ones in this case, that I ever saw during the period mentioned.

Mr. FLOOD. During that period, did you ever hear from any of your widespread sources of intelligence in the Smolensk area that there were Polish prisoners, officers or enlisted personnel, hiding in the woods or hiding in the Russian villages?

General VON GERSDORFF. No, never.

Mr. FLOOD. During the same period of time did you ever, as chief of intelligence, direct any of your personnel to conduct regular round-ups and searches for Polish prisoners in the area?

General VON GERSDORFF. No.

Mr. FLOOD. Would anybody else have been able to issue such orders and conduct such intelligence operations without your knowledge or approval?

General VON GERSDORFF. The only possibility would have been that the so-called Einsatzgruppen of the SD who were not under the jurisdiction of the Central Army Group could have performed such duties, but, in view of the fact that the then chief of the police units was an officer by the name of Nebe who, already since 1938, secretly belonged to the resistance movement, I am certain that he would never have engaged in any such action without previously having contacted me about that.

Mr. FLOOD. What resistance movement?

General VON GERSDORFF. The German resistance movement against Adolf Hitler and against National Socialism.

Mr. FLOOD. Were you a member of the movement?

General VON GERSDORFF. Yes; I was.

Mr. FLOOD. You mentioned something about the Einsatzgruppen. Were there Einsatzgruppen or Einsatzkommandos in the area of Smolensk when you moved in?

General VON GERSDORFF. In every area of an army group there were certain units of the so-called Einsatzgruppen which were under the direct order of higher SS and police chiefs. This high-ranking SS or police officer was under the direct command of Heinrich Himmler. His only instructions consisted in making contact with the staff of the army group. The army group, however, had the possibility of demanding that such Einsatzgruppen should be withdrawn in the case of these Einsatzgruppen hampering the strategical and tactical movements of the combat troops. We made very wide use of this opportunity of getting rid of these Einsatzgruppen and, particularly within the area of the Fourth Army under Field Marshal von Kluge, these Einsatzgruppen were practically always far in the rear. Nebe always supported this action of ours. On the other hand, of course, he had to see that his Einsatzgruppen were also commissioned with some tasks so as not to make too bad an impression upon his higher command.

Mr. FLOOD. Did your outfit get rid of the Einsatzgruppen in your area at the time we are speaking about?

General VON GERSDORFF. I do not quite clearly recollect whether at that time the Einsatzgruppen which was attached to the Fourth Army was in action or not. I believe that at the time when the Fourth Army took Smolensk, this Einsatzgruppen was not actually fighting in the front line but I have no clear recollection of that.

Mr. FLOOD. Even if they were, in view of the nature of the commanding officer and his liaison with the Wehrmacht, would it have been possible for Himmler to have ordered the commander of that Einsatzgruppe to have committed a murder at Katyn of 4,000 troops without your knowing about it?

General VON GERSDORFF. This is utterly impossible, particularly in the spot where the murders actually took place and where the graves were subsequently found in view of the fact that this spot is located so near the highway leading from Vitebsk to Smolensk that it would have been absolutely impossible to kill 4,000 people without lots of people passing along the highway noticing it.

Mr. FLOOD. It would have been impossible for an order coming from the supreme command to the army group having to do with the killing

of Polish prisoners, particularly officers, without you, as chief of intelligence, having heard about it, isn't that so?

General VON GERSDORFF. No; because such an order would have been transmitted to my command immediately and I would have known about it immediately, too.

Mr. FLOOD. Was any such order transmitted to your command or from a supreme command to an army group during the period of service you had in the Katyn-Smolensk area?

General VON GERSDORFF. No, never.

Mr. FLOOD. You heard General Oberhaeuser testify this morning, did you not?

General VON GERSDORFF. Yes, I did.

Mr. FLOOD. And you heard Colonel Ahrens testify this afternoon, did you not?

General VON GERSDORFF. Yes; I did.

Mr. FLOOD. Now, directing your attention to that part of the testimony of those two officers having to do with the description of the Dnieper Castle and the area surrounding the castle, do you wish to add anything, any details, to what they said in that description?

General VON GERSDORFF. I fully agree with the statements of General Oberhaeuser and Colonel Ahrens about the Dnieper Castle, but I would like to add the following: In the vicinity of Gniezdowo, there were prehistoric Russian cairns, old prehistoric tombs in caves. They were overgrown with shrubs and heavily so. They were actually in that area, so that was the reason why, when the graves of the Polish officers were discovered, we did not call it the murders of Gniezdowo, but to distinguish it from these old prehistoric tombs of Gniezdowo, we called it the murders of Katyn, so as not to get these two things mixed up.

Mr. FLOOD. Then these graves were actually closer to Gniezdowo than they were to the village of Katyn?

General VON GERSDORFF. Yes; that is correct.

Mr. FLOOD. Who finally conferred the title of the Katyn Massacre on this thing? Did you do that?

General VON GERSDORFF. This was done by my unit with the chief of our staff agreeing to it.

Mr. FLOOD. How did you first hear the story of Katyn?

General VON GERSDORFF. My units contained a small command of military field police of about 8 to 10 men. In charge of this small police unit was the Field Police Secretary Voss. The duty of this field police unit consisted of security measures so as to guard security of the field marshal and of the staff headquarters. Therefore, I had instructed Voss to watch carefully over the surroundings of these staff headquarters so as to make sure that no strangers, that is, people who did not belong there, should enter the area.

Mr. FLOOD. Who was Voss?

General VON GERSDORFF. Voss was in charge of the small unit of military field police. He was a so-called military field police secretary, and his duties corresponded to the rank of lieutenant. Owing to his duties, Voss was in close contact with the population of the surroundings of our staff headquarters. One day Voss came to me and made the following report.

Mr. FLOOD. Just a moment.

When, if you remember?

General VON GERSDORFF. I do not recollect the exact date, but it must have been in February 1943.

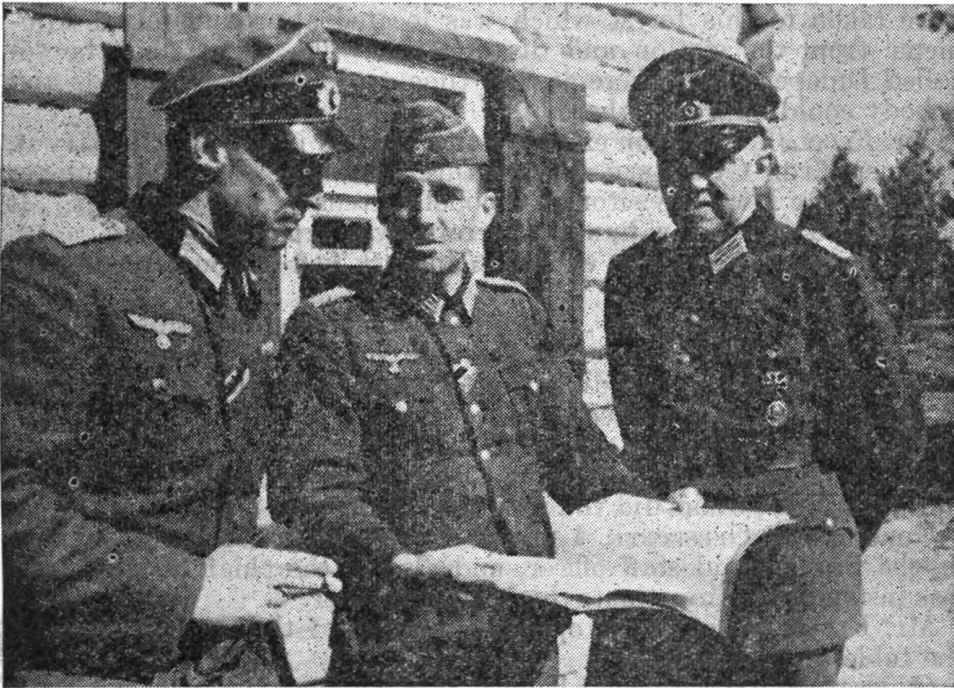
Mr. FLOOD. All right, go ahead.

General VON GERSDORFF. Voss reported to me that Polish auxiliary volunteers who belonged to several infantry divisions which were marching up to the front line and who had taken up temporary quarters in Gniezdowo and the surroundings, had made inquiries on behalf of Poles in Poland for possible Polish prisoners in that area.

Mr. FLOOD. Will you mark this picture as exhibit 5?

(The document referred to was marked as "Frankfurt, Exhibit No. 5," and is as follows:)

EXHIBIT 5



Military Field Police Secretary Voss (center) talking to two other German officers.

Mr. FLOOD. I now show you exhibit 5 and ask you whether or not you can identify the German officers on that picture?

General VON GERSDORFF. Yes.

The one in the center is Military Field Police Secretary Voss. The one on the left is a lieutenant whom I recognize, but I do not recollect his name. The one on the right resembles Professor Buhtz.

Mr. FLOOD. Did you ever hear of a Lieutenant Slovinczik?

General VON GERSDORFF. I recognize the name now and I presume that he is the third man on this photograph which was just shown me. He belonged to a propaganda unit which was under the command of General Schenkendorff, commanding officer of the rear area.

Mr. FLOOD. Who was the immediate superior commander of Slovinczik at Smolensk?

General VON GERSDORFF. Major Kotts, the commanding officer of this propaganda unit.

Mr. FLOOD. Will you examine exhibit 5 again, in view of this conversation, and direct your attention to the officer you have not yet identified, and tell us whether or not that could be Slovinczik?

General VON GERSDORFF. I believe that Slovinczik is the officer on the left side of the photograph.

Mr. FLOOD. Very well. What did Voss have to say to you?

General VON GERSDORFF. Voss reported to me that Russian inhabitants of Gniezdowo had told the previously mentioned Polish auxiliary volunteers that in spring, 1940, large transports of Polish prisoners had arrived by full train-loads at Gniezdowo station. They clearly recognized them as Poles from their uniforms and also heard them speaking Polish to each other. Then, these Poles were taken away in large black prison vans from the station and they were taken to this forest which was located approximately 1 kilometer from the station and disappeared. The forest and the so-called Dnieper Castle were at that time cordoned off by guards and nobody could approach there.

Mr. FLOOD. I show you exhibit 3 and ask you if you can identify it.

General VON GERSDORFF. The picture shows the so-called Dnieper Castle where I was a visitor of Colonel Ahrens on two occasions. It was located only a few hundred meters away from the graves.

Mr. FLOOD. I show you exhibit 4 and ask you if you can identify that.

General VON GERSDORFF. Yes; I clearly recognize this picture. It shows the crossing point of the railroad line at Gniezdowo station with the highway leading from Vitebsk to Smolensk. The road at that spot has an S-shaped bend.

Mr. FLOOD. We'll offer exhibit 4.

After you cordoned off Dnieper Castle, after you had this information from Voss, whom did you report to, if anybody?

General VON GERSDORFF. I passed on this report to the 1-A; that is, the first general staff officer, and also to the chief of staff, and was instructed to investigate this matter further.

Mr. FLOOD. What is the opposite number of the German 1-A on the table of organization?

General VON GERSDORFF. I believe, G-3.

Mr. FLOOD. Go ahead.

General VON GERSDORFF. I thereupon instructed Voss to interrogate these Russian inhabitants of Gniezdowo under oath. The interrogations confirmed everything we had heard about these Polish prisoners.

Mr. FLOOD. Did you talk to any Russian peasants yourself?

General VON GERSDORFF. No; I did not talk to any because I do not know Russian, but, later on, I did speak to some of the Russian workers, with the help of an interpreter who were engaged upon the exhumation work.

Mr. FLOOD. What did you talk to them about?

General VON GERSDORFF. I merely repeated the questions that they had already been asked during the first interrogations and, in addition, asked them whether they could give me more interesting details in the matter.

Mr. FLOOD. What instructions did you get from your superiors, if any, with reference to the exhumations of these bodies?

General VON GERSDORFF. As it became clear from the interrogation of these Russian civilians that something had happened there, orders came from above, from higher quarters, to investigate this matter thoroughly and to dig in the forest. At that time, we had no idea yet that it was matter of such a dreadfully large number of dead bodies. Professor Buhtz of Breslau University was put in charge of the exhumations. He belonged to the chief quartermaster's division and had to investigate any infringements of the Hague Convention.

Mr. FLOOD. Was he attached to the headquarters at Smolensk?

General VON GERSDORFF. The division of the chief quartermaster was located or billeted in the city of Smolensk proper.

Mr. FLOOD. Then I gather you were in charge in the Katyn Forest area of the exhumations in a general way?

General VON GERSDORFF. Yes; that is correct.

Mr. FLOOD. Whom did you designate in charge of security or in charge of the guard you told us about around the graves—that area?

General VON GERSDORFF. In the beginning, the previously mentioned military field police unit took up the security duty. Afterwards, a company of Polish volunteers took up guard duty and mounted guard near the graves.

Mr. FLOOD. Do you remember the name of the German officer you designated in charge?

General VON GERSDORFF. No; I do not recollect the name.

Mr. FLOOD. When did the exhumations, the diggings, start, if you remember?

General VON GERSDORFF. As far as I recollect, in March 1943.

Mr. FLOOD. Do you recall the Polish Red Cross being connected in any way with the exhumations?

General VON GERSDORFF. The Polish Red Cross was advised at once and requested to send delegates to Katyn who would supervise and arrange the exhumations. In addition, the International Red Cross in Geneva was also advised, but I presume this was done via the Foreign Office in Berlin.

Mr. FLOOD. When did the exhumations stop?

General VON GERSDORFF. The exhumations stopped in June or July at the height of the summer, and this was done on the advice of military physicians which we had there, who feared that the terrible stench of the dead bodies would have some noxious effects on the health of the men engaged in the task.

Mr. FLOOD. Did you visit the graves during the course of the exhumations between—when did you say they started?

General VON GERSDORFF. In March.

Mr. FLOOD. In March. And in the summer, when they were finished, did you visit the area?

General VON GERSDORFF. I visited the graves three or four times, possibly more often.

Mr. FLOOD. Were visiting delegations received in the area during the course of the exhumations?

General VON GERSDORFF. The Ministry of Propaganda in Berlin had very many, or a large number of commissions come to the graves to see them. I welcomed a delegation of journalists to the graves, and also a delegation of experts of judicial medicine. This latter commission consisted of members from all the countries which could be reached

from Germany at that time. Furthermore, commissions of American, British, French, and Polish prisoners of war also came to see the graves. I also saw the Archdeacon of Krakow, Dr. Yazinski.

Mr. FLOOD. Any other delegations of any kind?

General VON GERSDORFF. There was also a great number of German delegations, many of them from troop units, but also delegations that came directly from Germany.

Mr. FLOOD. Were any prisoner of war visitors received at the Katyn grave during the exhumation?

General VON GERSDORFF. Yes, in the first place, Polish officers, but they were also British and French officers, and, as far as I recollect, also several American officers.

Mr. FLOOD. Would you say that during the 4 months during which the exhumations were going on there were hundreds or thousands of visitors of all kinds received in the area?

General VON GERSDORFF. I would say, rather, thousands.

Mr. FLOOD. Did you see the bodies yourself during the exhumation?

General VON GERSDORFF. Yes; I did.

Mr. FLOOD. Will you describe for us, briefly, what you saw as the bodies were exhumed?

General VON GERSDORFF. In the first place, the mass grave was opened, which was approximately 10 meters long and 20 meters wide, and very deep. In this grave the dead bodies of the Polish officers were stacked in 12 layers on top of each other. Then later on a second grave was opened, which was not quite as large as the first one, but in that grave all the dead bodies were fettered. They had their hands tied up. It may be assumed that in that case these Polish prisoners had perhaps tried to resist at the very last moment.

Mr. FLOOD. Did you see bodies with their hands tied behind their back yourself?

General VON GERSDORFF. Yes, I did.

Mr. FLOOD. What were they tied with?

General VON GERSDORFF. As far as I recollect, it was either wire or cord, but they were tied up, fettered, in a typically Russian manner.

Mr. FLOOD. Could it have been wire in some cases and cord in others?

General VON GERSDORFF. That I do not recollect any more.

Mr. FLOOD. Will you demonstrate on the interpreter the manner in which those hands and arms were tied behind their backs, the backs of the corpses?

General VON GERSDORFF. Not exactly, but approximately.

Mr. FLOOD. Well, stand up and do the best you can, as you best recollect.

[The witness indicated.]

Mr. FLOOD. The witness demonstrates on the interpreter the crossing of the left arm and the right arm at the wrists at about the small of the back.

And they were tied in that manner; is that it?

General VON GERSDORFF. Yes.

Mr. FLOOD. In what way were they tied, as you best recollect? Will you point out?

General VON GERSDORFF. I do not remember the details. Many of the dead bodies had sacks or tunics pulled over their heads, and these sacks or tunics were tied fast around the waist.

Mr. FLOOD. You saw that yourself?

General VON GERSDORFF. Yes; I did.

Mr. FLOOD. Did you observe any of the corpses with sawdust in the mouths?

General VON GERSDORFF. Yes. I remember now that Professor Buhtz established this fact in one or a few cases.

Mr. FLOOD. Did you see the International Commission conducting post mortems or autopsies there at the grave?

General VON GERSDORFF. Yes. I welcomed them personally and also spoke to them.

Mr. FLOOD. Did you see post mortems or autopsies being performed upon the bodies of several hundred of these dead officers by German commissions by Dr. Buhtz and two other Germans?

General VON GERSDORFF. On that occasion I was not present personally, but I saw myself foreign physicians carrying out autopsies.

Mr. FLOOD. Now, the committee has a great deal of detailed evidence, scientific and from observation of scientists and laymen who visited the graves at Katyn, having to do with the depth of the graves, the surroundings, when the graves were opened, and the detailed conditions of the decomposed state of the corpses and the conditions of the uniforms, but we would like you to add, because of your important position in the area, your comments briefly on the condition of the corpses and uniforms or documents found there, if any.

General VON GERSDORFF. The dead bodies were still being held together by the uniforms, but the state of decay was already very far advanced, although the soil in which the bodies were buried was very sandy. All the corpses had at least one or two bullet holes where the bullets had left the skull, which were either in the forehead or near the eyes.

Mr. FLOOD. Will you demonstrate again on the interpreter the point of entry and the point of exit of the bullet?

(The witness indicated.)

Mr. FLOOD. The witness indicates with his finger on the interpreter the point of entry as being at about the base of the skull and the neck line, and the point of exit as being in the forehead between the hairline and the eyebrow.

General VON GERSDORFF. Almost every dead body had an amulet, or these little crosses—what do you call them?

Mr. MITCHELL. Crosses?

Mr. FLOOD. Scapular or crucifix.

General VON GERSDORFF. Scapular; yes. It was under their underwear, on their chests. Otherwise no real valuables were found on them.

Mr. FLOOD. I suppose you are aware that many Poles are Roman Catholic?

General VON GERSDORFF. I would assume that practically all of them were Roman Catholic.

Mr. FLOOD. And one of the practices of Roman Catholics is the wearing of a scapular or crucifix around the neck?

General VON GERSDORFF. Yes. These crucifixes and other items had not been removed from the dead bodies, probably, because they had been wearing them under their shirts.



Mr. FLOOD. And would only be of little value to whoever removed them?

General VON GERSDORFF. I beg your pardon?

Mr. FLOOD. And probably would be of little value to whoever was removing things from the bodies at the time?

General VON GERSDORFF. Only in the case of the dead bodies of two generals, evidently one gold cigarette case and a golden ring were found. On the other hand, a large number of documents were found on all the other bodies. These documents consisted of diaries, notebooks, and letters from their next of kin or friends. In addition to that, there were also many photographs. They also had large amounts of paper bank notes, Polish zloty, which at that time had been taken out of circulation.

Mr. FLOOD. I am sure the general is aware that the date of the burial of these bodies is so material as to be, perhaps, controlling in determining the guilt of the parties responsible for the murder.

General VON GERSDORFF. Yes; that is quite clear to me.

Mr. FLOOD. In view of that situation, or that possibility, General, do you have any observations to make with reference to the latest date found on any documents on these bodies that you are now describing?

General VON GERSDORFF. I saw very many of these documents myself—that is, the originals. The most interesting items were diaries which had been written in great detail. I remember a diary of one Polish officer who related the events as follows: He relates, at first, how they were being kept in a Russian POW camp located at Kozielsk. He further relates how, in March 1940, they were taken away in railroad cars.

When they left they had not the slightest idea as to where they were going. However, hopes were rising high when they ascertained that they were traveling in a westward direction. They could also establish that they were passing through the town of Roslavl, and that they continued in the direction of Smolensk. They wrote down in their diaries that they were now hoping to be returning to their Polish homeland. Then there were further entries that their transport trains had certainly stopped at a small station outside Smolensk. Evidently this was the station of Gniezdowo.

Mr. FLOOD. General, do you remember the name of the first station after you leave Smolensk in that direction? What is the name of the first station after you leave Smolensk?

General VON GERSDORFF. I never used the railroad in those days. I believe that the first station was Gniezdowo, but I am not certain about it.

Mr. FLOOD. Now I return to my question and I ask you again, General, with particular reference to the dates on the documents, papers, and so on, what was the latest date that you observed on any of these papers or documents?

General VON GERSDORFF. All the entries in the diaries ceased at the end of March or, at the latest, the beginning of April 1940. Likewise, the very numerous letters and postcards which were found on the dead bodies, and which came from their relatives and friends in Poland, were all dated from November–December 1939 and January 1940.

Mr. FLOOD. What was done with the documents by the Germans after they took them from the bodies?

General VON GERSDORFF. The documents had first to be treated chemically, because they were partly soaked in——

Mr. FLOOD (interposing). Body fluid?

General VON GERSDORFF. Body fluid, yes. They were then exhibited in glass cases on the porch of the building where this military field police unit was billeted.

Mr. FLOOD. Were records kept of the documents with reference to each body, if you know?

General VON GERSDORFF. Yes. Every dead body was identified, and it was entered what had been found on the body.

Mr. FLOOD. Did each body have a number?

General VON GERSDORFF. As far as I can remember; yes.

Mr. FLOOD. Did the envelope containing the documents taken from that body have a number corresponding to the number of the body from which they were taken?

General VON GERSDORFF. I presume that that was so, but I have no knowledge of these details. I would think, however, that Mr. Pfeiffer would be able to say more about these details.

Mr. FLOOD. Who is Pfeiffer?

General VON GERSDORFF. He was a member of the military police unit of Voss.

Mr. FLOOD. What did the Germans do with all the documents they had collected in the late summer of 1943 after they had closed up the grave?

General VON GERSDORFF. As far as I remember, all these items, documents, and other things were packed into chests and put on the way to Germany, but I do not know much about that.

Mr. FLOOD. Do you know a Dr. Naville, a distinguished Swiss pathologist and an authority on forensic medicine?

General VON GERSDORFF. Yes; I met Dr. Naville right at the graves in Katyn, and also sat next to him at a dinner party which was given for these international groups by the Center Army group.

Mr. FLOOD. Did you have a conversation with Dr. Naville?

General VON GERSDORFF. Yes; I had long discussions with him.

Mr. FLOOD. What language did you talk in?

General VON GERSDORFF. We spoke German and French.

Mr. FLOOD. What was the gist of the subject of the conversation?

General VON GERSDORFF. At that time I had the impression that Dr. Naville was absolutely convinced that only the Russians could have committed this crime.

Mr. FLOOD. Do you know or remember the date of the dinner given by the Germans to the visiting Commission?

General VON GERSDORFF. I do not recollect the date of the dinner, but I remember that it was on an extremely hot day.

Mr. FLOOD. Do you know a Professor Markhov, the Bulgarian member of the Commission?

General VON GERSDORFF. I remember Dr. Markhov, and I also remember that he was the Bulgarian member of this Commission.

Mr. FLOOD. Was he at Dnieper?

General VON GERSDORFF. Yes; he was.

Mr. FLOOD. Did you have a conversation with him?

General VON GERSDORFF. Yes; I also had a conversation with him.

Mr. FLOOD. In what language?

General VON GERSDORFF. There were very many representatives of Slav nations and I do not quite recollect, but I believe that Dr. Markhov knew some German or French.

Mr. FLOOD. What did Markhov have to say, if anything?

General VON GERSDORFF. I do not recollect the details of our conversation, but I recollect this much, that Dr. Markhov, too, was firmly convinced that the Russians were responsible for this crime.

Mr. FLOOD. You will be interested to know that on the 5th of March, in Sofia, Professor Markhov outlined his experiences as a member of the German International Medical Commission. He says that he had been forcibly included in the Commission, that he had been completely isolated from the local population while at Katyn; he recants any statement he made, and says the Germans did the killing. What do you have to say about that?

General VON GERSDORFF. How far single members of the Commission had come of their own free will or otherwise I am not in a position to say, but I could hardly imagine that the Swiss representative would have come against his will. In Smolensk itself, from the moment of the arrival of the Commission, I can confirm that the gentlemen of this Commission had any liberty they could wish for to move and do what they liked. They were permitted to talk to anyone, Russian or no Russian, that they wanted to talk to. They could go wherever they wanted to go, and they could engage in any activity that they felt like engaging in.

Mr. FLOOD. Did you receive or give any orders which would in any way have curtailed the activity of the International Commission of Scientists at Katyn, or any of its individual members?

General VON GERSDORFF. No. On the contrary, I issued special orders that the free movement and liberty of these gentlemen should be safeguarded at all costs and that they should be given the opportunity of going where they wanted to go and doing what they wanted to do without any hindrance, and that they should even be assisted.

As an example, I recollect that some of these international delegates left the graves and drove back to Smolensk earlier than others. They were probably tired or something, and went back earlier, while others still remained longer at the graves and carried on their investigations.

Mr. FLOOD. Professor Markhov; separate and distinct from any writing that he made or any protocol that he may have signed about the investigation in addition, at the dinner party, told you, in a social conversation, that he felt that the crime at Katyn had been committed by the Russians, is that it?

General VON GERSDORFF. As far as I recollect, Dr. Markhov was sitting at my left side during the dinner, and we did actually discuss this matter, and Dr. Markhov confirmed to me that in his opinion the Russians had committed the crime.

Mr. FLOOD. I now hand to the stenographer, to be marked as "Exhibits 7, 8, 9, and 10," four photographs.

(Due to incorrect numbering, there is no exhibit 6.)

(The photographs referred to above were marked "Frankfurt Exhibits 7, 8, 9, and 10," and are shown on pp. 1315-1317.)

Mr. FLOOD. I now show the witness exhibit No. 7 and ask him whether or not he can identify any of the three persons shown thereon

examining one of the corpses, two in military uniform, and the third person in civilian clothes.

First, who is the civilian, if you know?

General VON GERSDORFF. I clearly recollect the civilian. That was a Hungarian, Professor Orsos, who was a member of the International Delegation.

Mr. FLOOD. How do you spell Orsos?

General VON GERSDORFF. O-r-s-o-s. As far as I remember, the man in uniform is the Finnish delegate. The third man in uniform appears to be a medical corps soldier who is just busy typing out the report which Professor Orsos, who knew German very well, was dictating.

Mr. FLOOD. We will offer exhibit No. 7 in evidence.

(Exhibit 7 is as follows:)

EXHIBIT 7



Professor Orsos of Hungary examining corpse at German exhumation.

Mr. FLOOD. I now show you exhibit No. 8, which depicts a group of two or three dozen civilians talking to a German officer in uniform. Who was the officer, if you know, and can you identify the nature of the group of civilians?

General VON GERSDORFF. The officer is the lieutenant of this propaganda unit, with a Polish name, and the civilians of the picture, as far as I remember, are members of a delegation of journalists from neutral and other countries.

Mr. Flood. We will offer exhibit No. 8 in evidence.  
(Exhibit 8 is as follows:)

EXHIBIT 8



German officer discussing Katyn with delegation of journalists.

I now show the witness exhibit No. 9 and ask him if he can identify the military uniforms present, what countries they represent, and the civilian, if he can.

(Exhibit 9 is as follows:)

EXHIBIT 9



American and British prisoners of war talking to a Russian native.



General VON GERSDORFF. The officers are American and British prisoners of war. The officer in the center is a British major, who had declared himself to be the leader of his delegation, or the chief of the delegation. When he arrived he told us that he alone would comment on the whole matter, and that the other officers present did not wish to make any comments. The civilian is a Russian worker, an inhabitant of Gniezdowo, who was working on the exhumations, and, as far as I recollect, also made statements about the murder having happened, and upon his statements investigations were started and the graves were discovered.

Mr. FLOOD. Do you know or recall, General, whether or not the visiting American and British officer POW's were permitted to talk to those Russians without German interference?

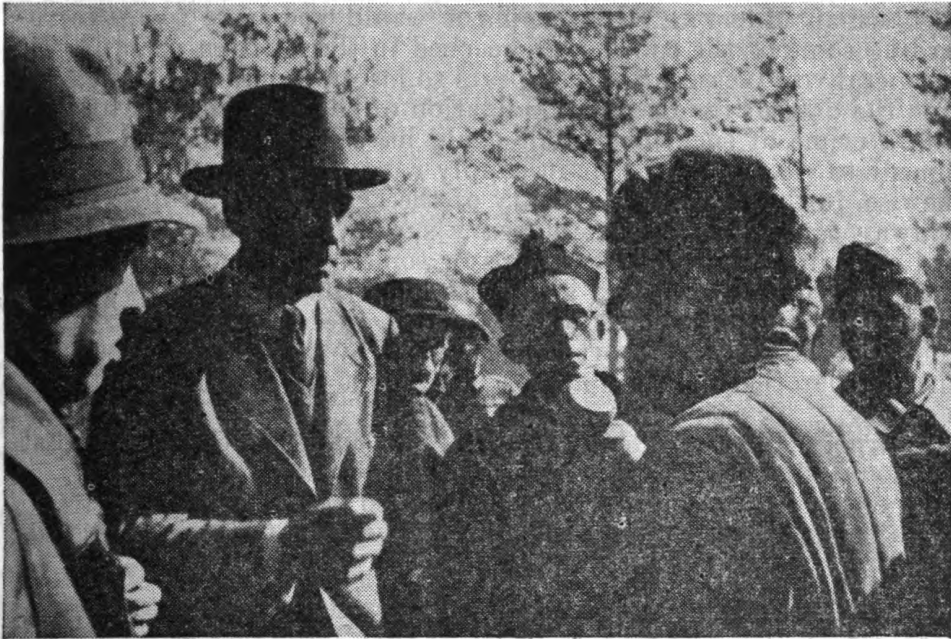
General VON GERSDORFF. This would have been quite possible, they could have talked to the Russian civilians because these officers were absolutely free, there were not even guards with them. But, in any case, such a conversation with the Russian civilians would have depended upon the presence of an interpreter, in view of the fact that the officers did not know Russian.

Mr. FLOOD. General, you may be interested to know that the two American officers, now colonels, have already testified before this committee and have said they were permitted to talk to the Russians present without interference from the Germans.

I now show the witness exhibit No. 10 and ask him whether or not he can identify the persons on that picture.

(Exhibit No. 10 is as follows:)

EXHIBIT No. 10



Russian worker with Polish Red Cross Director Skarzynski and others.

General VON GERSDORFF. I recognize, on this picture, the Polish Archdeacon Yazinski in his ecclesiastical garb; and the tall civilian I do not remember. In the foreground there is one of the Russian workers, and at the far right of the picture the head of Voss is visible.

Mr. FLOOD. General, do you recall a visit by the executive secretary or director of the Polish Red Cross from Warsaw named Skarzynski?

General VON GERSDORFF. No; I do not recollect this visit, because I was away very often on inspection and had to go around a lot.

Chairman MADDEN. Do you have any questions, Mr. Dondero?

Mr. DONDERO. I have one question.

General, you testified that you noticed that the bodies in one of the graves had their hands tied behind them, either with wire or with cord. Was that cord round or flat?

General VON GERSDORFF. I do not quite recollect that, but I believe that they were flat.

Mr. DONDERO. You might be interested to know that the record already shows that a part of that cord has been presented to this committee and received in evidence. It was flat.

Chairman MADDEN. Are there any further questions?

General, you read the Russian report, did you not, regarding the Russian investigation?

General VON GERSDORFF. I did not read this report very carefully; I just went through it quickly. But I know more or less what it contained.

Chairman MADDEN. Were you present in the room this afternoon when several members of the committee asked the preceding witnesses regarding certain phases of the Russian report?

General VON GERSDORFF. Yes; I was present.

Chairman MADDEN. What comment would you have to make regarding some of the conclusions reached in the Russian report?

General VON GERSDORFF. It appears to me quite impossible that, as from the date of the German occupation of that territory or of that area, a crime of such magnitude could have been committed in the immediate vicinity of the main supply road of the army group, and likewise, in the immediate vicinity of the army group proper. This highway carried an extremely heavy supply traffic day and night. And even in the case of SS troops or some other unit carrying out such an action, it would at all events have come to our knowledge.

Apart from the previously stated facts, the documents recovered from the bodies, the expert advice given by physicians is so convincing that there should not be any doubt as to who committed the crime.

Chairman MADDEN. General, would you have anything else that you would like to add to what you have already said?

General VON GERSDORFF. I have no more to say.

Chairman MADDEN. We wish to thank you for testifying here today.

Mr. Albert Pfeiffer.

**TESTIMONY OF ALBERT PFEIFFER, BEHAMPTSTRASSE, MUNICH,  
GERMANY**

Chairman MADDEN. Just give the interpreter your name.

Mr. PFEIFFER. Albert Pfeiffer.

Chairman MADDEN. And your address.

Mr. PFEIFFER. Munich; Behauptstrasse.

Mr. MADDEN. Mr. Pfeiffer, I will read a statement to you.

Before you testify, it is our wish to invite your attention to the fact that, under German law, you will not be liable for slander or libel, either in criminal or civil proceedings, for anything that you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as a result of your testimony.

Do you understand that?

Mr. PFEIFFER. I understand.

Chairman MADDEN. Now will you just stand and be sworn?

Do you swear, by God the Almighty, that you will, according to your best knowledge, tell the truth, the whole truth, and nothing but the truth; so help you God?

Mr. PFEIFFER. I swear, so help me God.

Mr. FLOOD. Will you state your name?

Mr. PFEIFFER. Albert Pfeiffer.

Mr. FLOOD. Were you ever a member of the German armed forces?

Mr. PFEIFFER. Yes; I was.

Mr. FLOOD. Were you ever serving in that capacity on the eastern or Russian front?

Mr. PFEIFFER. Yes.

Mr. FLOOD. When did you arrive in the Smolensk area?

Mr. PFEIFFER. At the end of October or at the beginning of November 1942.

Mr. FLOOD. Did you ever hear of Lieutenant Voss?

Mr. PFEIFFER. Yes; I did.

Mr. FLOOD. Were you with his unit?

Mr. PFEIFFER. Yes; for 2 years.

Mr. FLOOD. What were the duties of the unit and what were your duties in it?

Mr. PFEIFFER. The unit had security duties in the vicinity or the surroundings of the staff headquarters of the center army group and to watch over the civilians in that area, and they also had the care of the civilians who were working in the different German units and agencies.

Mr. FLOOD. What do you mean by "watch over" the civilians in the area?

Mr. PFEIFFER. Our activities were confined to patrolling the near vicinity of the staff headquarters and see that no strangers would come into this area; that those people who lived there and who had been registered were actually there.

Mr. FLOOD. How many men were in Lieutenant Voss' unit?



Mr. PFEIFFER. Our unit had been split up into two halves. The one to which I belonged was in Gluschtschenki. We numbered five and the others that went to Gniezdowo numbered from five to seven.

Mr. FLOOD. Do you speak Russian?

Mr. PFEIFFER. Yes. I was employed as an interpreter.

Mr. FLOOD. Did you have any conversations with any of the Russians in the area of Katyn?

Mr. PFEIFFER. Yes; with the civilians of Gluschtschenki and the near vicinity of the staff headquarters, but not with those of Katyn because I only went to Katyn once.

Mr. FLOOD. When did you first hear about Katyn?

Mr. PFEIFFER. The first time I heard anything about Katyn was in February 1943 when I was confined to the infirmary.

Mr. FLOOD. Where?

Mr. PFEIFFER. The infirmary was with the staff headquarters. My buddy, Roeske, who was also an interpreter, came to me and told me that investigations would have to be made after some Poles who had disappeared.

Mr. FLOOD. Were you identified with the exhumations in any way?

Mr. PFEIFFER. Yes; from the very first day.

Mr. FLOOD. What was your assignment, and who assigned you to it?

Mr. PFEIFFER. I had been detailed for this duty by Lieutenant Voss in the capacity of interpreter, and it was my duty to explain to the Russian civilian workers, who had been brought to that spot, to explain to them what kind of work they had to do there and that now they had to go about the exhumation.

Mr. FLOOD. Were you there the first day that the digging started? Were you present when the first work was begun?

Mr. PFEIFFER. Yes; when the first spade entered the ground I was present.

Mr. FLOOD. Had you ever been in that immediate vicinity at any other time before that first day?

Mr. PFEIFFER. Not in the area.

Mr. FLOOD. Will you describe the appearance of the grave and its immediate surroundings within a very few feet before the first spade was put into the ground?

Mr. PFEIFFER. It was a clearing in the forest, and the mound of earth was up to a height of 3 feet, overgrown with small fir trees and heather and bushes and scrub.

Mr. FLOOD. Indicate with your hands, from the floor, the height of the trees you saw on this mound or grave the first day you appeared there, when the excavations began.

(The witness indicated a height from the floor.)

Mr. FLOOD. The witness indicates about—what; 3½ feet?

Mr. PFEIFFER. The largest were about that size [indicating].

Mr. FLOOD. The witness indicates from the floor a height of 3½ feet. Were these small trees all over the mound of earth?

Mr. PFEIFFER. They were scattered. You could clearly see that they had not been planted according to any plan and they were not numerous.

Mr. FLOOD. Were they removed before the digging began?

Mr. PFEIFFER. That was the first job.

Mr. FLOOD. I now show the witness exhibit No. 5 and ask him if he can identify the officers on that exhibit?

Mr. PFEIFFER. I know two of them. On the left side is First Lieutenant Slovenzik and in the middle is Field Police Secretary Voss, my superior, my commander.

Mr. FLOOD. Have the stenographer mark this next photograph as exhibit 11.

(The photograph referred to was marked "Exhibit 11" and is shown on p. 1325.)

Mr. FLOOD. I now show the witness marked for identification Exhibit No. 11 and ask him whether or not he can identify the people on that photograph; I just want him to tell me how many of that group were on Lieutenant Voss' squad.

Mr. PFEIFFER. Among this group were some that belonged to the unit of Lieutenant Voss.

Mr. FLOOD. What are their names?

Mr. PFEIFFER. The one, I do not want to name because I know that he would object. The second one is Pfc. or Corp. Karl Nikolatz, our driver, and in front, sitting on the ground, myself.

Mr. FLOOD. Who is the female in the picture?

Mr. PFEIFFER. Mrs. Irina Erhardt.

Mr. FLOOD. What was her duty?

Mr. PFEIFFER. She had to translate the documents and diaries found on the dead bodies because she knew Polish well.

Mr. FLOOD. I will ask the stenographer to mark for identification exhibit No. 12, which is another photograph.

(The photograph referred to was marked "Exhibit 12" for identification and is shown on p. 1325.)

Mr. FLOOD. I now show the witness marked for identification Exhibit No. 12, a photograph, and ask him whether or not that properly depicts the grave site and the grave after the trees had been removed and just as the first digging commenced?

Mr. PFEIFFER. The picture could, of course, have been taken anywhere. I do recognize people wearing clothes as they usually wear them in Russia.

In view of the fact that the picture only shows a very small area, I am not in a position to say that it is actually one of the Katyn graves; but the character of the place looks very much like the site of the graves at Katyn.

Mr. FLOOD. How far down, after the digging commenced, did they go before they struck the first bodies; how many meters?

Mr. PFEIFFER. Two-and-a-half meters.

Mr. FLOOD. How many graves were opened during the period of time that you were there?

Mr. PFEIFFER. I do not recollect the exact number of graves, but I do recollect exactly three graves.

Mr. FLOOD. What were your duties after the graves had been opened and the bodies had been removed?

Mr. PFEIFFER. I had to go through the pockets of the clothes of the dead bodies and to remove the items found in them and had to identify the dead bodies from the documents found on them.

Mr. FLOOD. How long did you work at that job?

Mr. PFEIFFER. Right to the end of the exhumations.

Mr. FLOOD. When was that?

Mr. PFEIFFER. It was approximately in the beginning of June. It may have been even at the end of May, but, at any rate, it was not later than the 11th of June.

Mr. FLOOD. Can you give us the exact date, the day and month and year, when the exhumations began?

Mr. PFEIFFER. Not the day.

Mr. FLOOD. How close can you come?

Mr. PFEIFFER. The second half of March 1943.

Mr. FLOOD. Were any visitors or visiting delegations of personages received at the Katyn grave area during any period of time that you were working there?

Mr. PFEIFFER. Yes. There were commissions; among others, one of them, officers who were prisoners of war, British, French, and Polish; then the Commission of International Physicians, either from neutral countries or countries fighting on the side of the Germans, and then a very large number of Russian civilians and German soldiers.

Mr. FLOOD. After the first days, where did you do your work on the documents?

Mr. PFEIFFER. In the hut which was built onto a Russian house, in the village or in the hamlet of Gluschtschenki, where I was billeted. It was about 20 meters away from the place where I was actually billeted.

Mr. FLOOD. Wait a minute. You had better spell that for the record.

Mr. PFEIFFER. G-l-u-s-c-h-t-s-c-h-e-n-k-i.

Mr. FLOOD. What was the nature of your work with the documents at this hut?

Mr. PFEIFFER. I took the documents out of their envelopes and dictated to a mate every item I discovered, and attempted to establish the name of the individual, usually on the strength of the pay books which I had discovered.

Mr. FLOOD. What procedure did you use for preserving the documents?

Mr. PFEIFFER. No procedure.

Mr. FLOOD. Did you separate them? Did you put them all in one pile? Did you keep them in relationship to one name? What did you do?

Mr. PFEIFFER. The documents were put back into their own envelopes and numbers put on them, and the identical number that was on the dead body was put on the envelope, and then, all the envelopes with the numbers on them were put into a large chest and stored away, and certain documents and items were picked out and I exhibited them outside of this hut.

Mr. FLOOD. Do you know what disposition was made by the Germans at the end of the exhumations in the summer? Where did the chests of documents go, if you know?

Mr. PFEIFFER. It was said that they would be taken to Krakow so as to distribute them among the next of kin and the relatives of the murdered men.

Mr. FLOOD. How many chests of documents were there?

Mr. PFEIFFER. I estimate four. I do not know exactly, but I estimate four.

Mr. FLOOD. Did you make a close examination of the documents of various kinds that came to your hut?

Mr. PFEIFFER. Yes; certainly; I did examine them very carefully.

Mr. FLOOD. Was there anything significant with reference to any of the documents that came to your attention, especially?

Mr. PFEIFFER. The one significant fact that struck me was that these documents were comparatively in a very good state of preservation and the most interesting part of the documents found were the diaries.

Mr. FLOOD. Do you have any comment to make with reference to the dates on any of the documents?

Mr. PFEIFFER. Yes. The letters and post cards and also some newspapers found on the dead bodies all carried dates and the dates never went beyond April 1940.

Mr. FLOOD. I now have the reporter mark for identification exhibit 13, a photograph; exhibit 14, a photograph; exhibit 15, a photograph; and exhibit 16, also a photograph.

(The documents referred to were marked: "Frankfurt Exhibit No. 13," "Frankfurt Exhibit No. 14," "Frankfurt Exhibit No. 15," "Frankfurt Exhibit No. 16.")

Mr. FLOOD. I show you exhibit 13 and ask you if you can identify the photograph.

Mr. PFEIFFER. Those were our billets.

Mr. FLOOD. Where?

Mr. PFEIFFER. Gluschtschenki, opposite the headquarters of the field marshal.

Mr. FLOOD. Is that near Katyn?

Mr. PFEIFFER. Half-way between Smolensk and Katyn.

Mr. FLOOD. I now show you exhibit 14 and ask you if you can identify that.

Mr. PFEIFFER. That's the large grave, the mass grave after the end of the exhumations and after we had reburied the dead bodies and rearranged the burial place.

Mr. FLOOD. I would like to ask you this: The Soviet statement indicates that when the Soviet began the exhumations of their commission there was only one grave. Will you tell us how many graves were there, in number, at the time the Germans finished the exhumations and the Polish Red Cross reburied the bodies in the summer of 1943—approximately?

Mr. PFEIFFER. I only recollect three graves, but I know that we were talking about more graves.

Mr. FLOOD. The photograph, exhibit 14, that I now show you shows how many graves and how many crosses?

Mr. PFEIFFER. I want to apologize. I believe that you are meaning something different than what I mean; that we are mixing up the old graves and the new graves.

Mr. FLOOD. Then, let's go back.

What I mean is this: The Polish Red Cross, it was just testified to by the general, participated in the exhumations and the burials, do you recall that?

Mr. PFEIFFER. Yes. Two Poles worked with me on the identification of the bodies all the time, too.

Mr. FLOOD. The Polish Red Cross and the Germans worked together on the exhumations and the reburials?

Mr. PFEIFFER. Yes.

Mr. FLOOD. And after all the exhumations had been completed and after all the reburying had been done, how many graves were there then shown?

Mr. PFEIFFER. After that period, there were the old open graves left and the new ones, but I do not recollect the number of the new ones.

Mr. FLOOD. I mean just the new ones. Do you remember the number of the new ones?

Mr. PFEIFFER. No; I cannot.

Mr. FLOOD. Well, at least three or four are showing on exhibit 14 that I just showed you.

Mr. PFEIFFER. I was there once more in September, 1943, but, in spite of that, I am unable to give the exact number of graves.

Mr. FLOOD. You will be interested in knowing that the vice president of the Polish Red Cross, who was there and did this work, was before this committee and testified that when the Polish Red Cross finished the work there were seven graves.

Mr. PFEIFFER. That is quite possible. I recollect that Voss had been deliberating whether to bury all the dead bodies discovered there in one huge mass grave or whether to make several smaller graves, and then it was decided for reasons of piety, to make several graves.

Mr. FLOOD. It is of interest to the committee in view of the fact that the Soviet report states that when they came to Katyn to open the mass grave there was only one grave there.

I now show you Exhibit 15 and ask if you can identify that.

Mr. PFEIFFER. Yes. This is a photostat of the first page of a Polish pay book as we found them by the thousands, and I do not recall the name but there were chaplains, one or several chaplains, among the dead. It is the typical first page of a Polish pay book and there were thousands of them.

Mr. FLOOD. I now offer the reporter to be marked "Exhibit 17."

(The above-described document was marked: "Frankfurt exhibit No. 17.")

Mr. FLOOD. Are you aware that the bodies of two Polish general officers were discovered at Katyn? Did you ever hear of that?

Mr. PFEIFFER. Yes; right in the beginning.

Mr. FLOOD. Did you ever hear that the Polish Red Cross, when the reburials were being made, buried the two generals each in a separate grave marked by a separate smaller cross?

Mr. PFEIFFER. Now that you mention it, I recall that very clearly. Before, I did not.

Mr. FLOOD. I now show you exhibit 17 and ask you whether or not this picture shows six white crosses on six newly made graves with one large grave in the front with a cross and two small crosses on two separate smaller graves?

Mr. PFEIFFER. I recognize the burying place with the graves and the two small crosses indicate the new graves of the two Polish generals.

Mr. FLOOD. We are describing the reburial of the bodies discovered at Katyn—these are the newly reburied graves, is that it?

Mr. PFEIFFER. Exactly.

Mr. FLOOD. I now show you exhibit 16 and ask you if you can identify the people shown on that picture.

Mr. PFEIFFER. On this picture I only recognize Voss and the exhibits which I put out in front of this so-called hut.

Mr. FLOOD. I now offer in evidence exhibits 11 to 17, inclusive. That's all.

(Exhibits 11 to 17, inclusive, are as follows:)

EXHIBIT 11



Group of German soldiers, members of exhumation and identification squad at Katyn.

EXHIBIT 12



Site of mass graves before exhumations.

EXHIBIT 13



Quarters of German soldiers near Katyn.

EXHIBIT 14



Dedicated graves of reburied Katyn victims.



## EXHIBIT 15

KORPUSU OCHRONY POGRANICZA  
(formacja K. O. P.)

Nr. 1637

St. kapelan

Ksiądz ZIOLKOWSKI Jan I.

na podstawie rozkazu Nr. 44/32 jest uprawniony (a) do noszenia odznaki Korpusu Ochrony Pogranicza.

M. P. WARSZAWA

data 11 listopada 1932

SZEF SZTABU

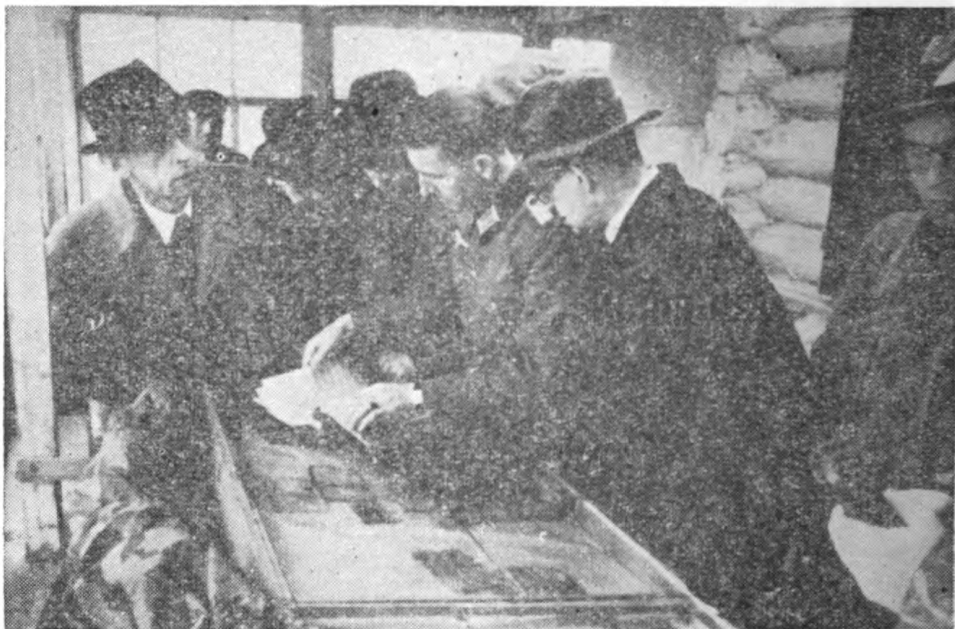
Pieczczę okręgu

Rapacki  
ppak. dypl.

Page of a Polish officer's pay book.

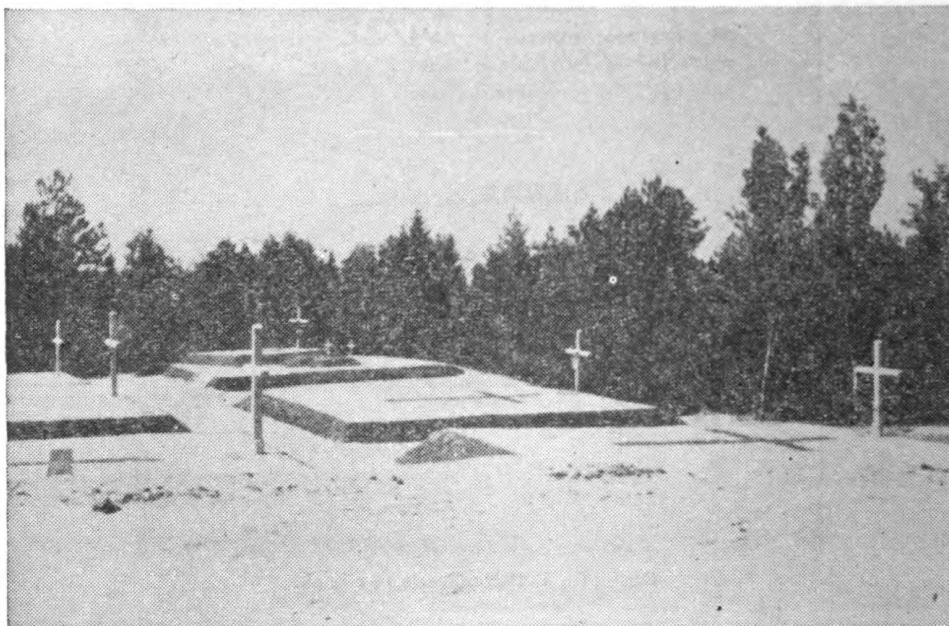


## EXHIBIT 16



Lieutenant Voss showing possessions of victims.

## EXHIBIT 17



Reburial place for Polish murdered.

Mr. DONDERO. One question: When you reburied these bodies, did you rebury them right where you found them or did you move them away?

Mr. PFEIFFER. We reburied the dead bodies in a different spot which was about 100 meters away from the original place where we found them, in the direction of the highway that was coming from Katyn.

Mr. DONDERO. That's all.

Mr. O'KONSKI. Will you tell the committee how many Russian workers were used in this exhumation proceedings that you carried on?

Mr. PFEIFFER. I am only in a position to give the exact number of the first day when we started. That was 30 Russian peasants from the surroundings.

Mr. O'KONSKI. Will you tell the committee if ever as many as 500 Russians were used for that purpose?

Mr. PFEIFFER. That is absolutely out of the question. Never simultaneously.

Mr. O'KONSKI. The reason why I state that is that in the Russian report they state that 500 Russians were used for that purpose and they were all shot by the Germans after they completed their work. What comment do you have on that?

Mr. PFEIFFER. It is possible that over the whole period of exhuming the bodies 500 workers were used successively, but never at one time, and that these 500 workers were shot, I do not believe and it is nonsense.

Mr. O'KONSKI. Will you tell the committee if any bodies of Polish women soldiers were found in the graves of the bodies you exhumed.

Mr. PFEIFFER. No. Exclusively officers, ranking from lieutenant up to general.

Mr. O'KONSKI. What was the total number of bodies that was exhumed from the graves at Katyn?

Mr. PFEIFFER. I ought to be able to give you the exact figure because I actually numbered all the exhumed bodies and put the same number on the documents, but I do not, at this time, recollect the exact number, but I am certain it was between 4,500 and 5,000.

Mr. O'KONSKI. That is all I have, Mr. Chairman.

Chairman MADDEN. One question: Did you notice in these papers that you removed from the bodies medical certificates like vaccination or inoculations for typhus?

Mr. PFEIFFER. Yes; I did find such medical certificates.

Chairman MADDEN. That's all.

Have you anything further you would like to say?

Mr. PFEIFFER. No.

Chairman MADDEN. We wish to thank you for your testimony here today. You are excused.

I might say that the hour is getting late, but the committee has a schedule we have to follow and there is one more witness to proceed with this evening.

Mr. Paul Vogelpoth.

#### TESTIMONY OF PAUL VOGELPOTH (THROUGH THE INTERPRETER ECKHARDT VON HAHN)

Chairman MADDEN. Mr. Vogelpoth, before you testify, it is our wish to invite your attention to the fact that under German law you will not be liable for slander or libel, either in criminal or in civil proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with

respect to libel or slander proceedings which may arise as the result of your testimony.

Mr. VOGELPOTH. Yes.

Chairman MADDEN. You will be sworn.

Do you swear by God the Almighty, that you will, according to your best knowledge, tell the pure truth, the whole truth, and nothing but the truth, so help you God?

Mr. VOGELPOTH. I swear, so help me God.

Mr. FLOOD. What is your full name?

Mr. VOGELPOTH. Paul Vogelpoth.

Mr. FLOOD. What is your present occupation?

Mr. VOGELPOTH. Editor.

Mr. FLOOD. Of what paper and where?

Mr. VOGELPOTH. Mittag, Duesseldorf.

Mr. FLOOD. Were you ever a member of the German armed forces?

Mr. VOGELPOTH. Yes.

Mr. FLOOD. Did you ever serve with the German armed forces in the Smolensk area on the Russian front?

Mr. VOGELPOTH. Yes, I did.

Mr. FLOOD. Were you there in March and April to the summer of 1943?

Mr. VOGELPOTH. Yes, I was.

Mr. FLOOD. With what unit were you identified?

Mr. VOGELPOTH. Propaganda unit W.

Mr. FLOOD. Stationed where?

Mr. VOGELPOTH. Smolensk.

Mr. FLOOD. When did you first come to the Smolensk area?

Mr. VOGELPOTH. In the middle of February 1942.

Mr. FLOOD. When did the massacres of the Katyn Forest first come to your attention?

Mr. VOGELPOTH. As far as I recollect, in the middle of March 1943.

Mr. FLOOD. In what manner were these first brought to your attention?

Mr. VOGELPOTH. I learned of it through my fellow officer, First Lieutenant Sloveniczik, Gregor Sloveniczik.

Mr. FLOOD. Were you assigned to any special duties in the area of the graves at Katyn?

Mr. VOGELPOTH. Yes. At the end of March 1943, when the big rush or influx of people started, many people started coming to the graves. I was detailed to Katyn Forest to put some order into the whole thing. It was about the 25th of March 1943.

Mr. FLOOD. Would you say that you had charge of the security arrangements in the area of the graves?

Mr. VOGELPOTH. Yes, I could say that.

Mr. FLOOD. Will you just detail for us the nature of your duties? What did you do, whom did you have charge of, and how long did you do it?

Mr. VOGELPOTH. My duty extended from 9 in the morning to 6 at night in the forest of Katyn every day. I had the task of selecting groups of 150 to 200 people from the very large numbers of soldiers and civilians—everyone was coming to the forest to see the graves—and of taking these groups to the graves.

Mr. FLOOD. During the time that you were there, would you say that hundreds or rather thousands had visited the graves?

Mr. VOGELPOTH. I estimate about 200,000 all together, from the end of March right through April, May, and June, to the end of June.

Mr. FLOOD. Were there any special groups of any significance that visited the area during the time that you were there?

Mr. VOGELPOTH. Yes, all the delegations. The delegations, however, were managed by Slovenczik and Voss. I had nothing to do with them.

Mr. FLOOD. What kind of delegations?

Mr. VOGELPOTH. There were delegations consisting of officers, prisoners of war, French, American, British, and Poles, and also the Spaniards of the so-called Blue Division.

Mr. FLOOD. Any other delegations of any particular kind of work or effort or business?

Mr. VOGELPOTH. Yes, there were other delegations, such as the delegation of prominent international medical men, and then a commission of experts of judicial medicine, commissions of authors, of artists, and there were also commissions sent there by the ministry of propaganda.

Mr. FLOOD. As a former journalist, do you remember seeing any delegations of journalists?

Mr. VOGELPOTH. Yes, we had a delegation of journalists there.

Mr. FLOOD. What were your particular duties, witness, with reference to these visitors, delegations, or groups?

Mr. VOGELPOTH. Generally speaking, I had nothing to do with all these delegations, with the exception of the delegation of journalists and of authors. Those two delegations I took over the graves and over the areas.

Mr. FLOOD. Did you volunteer, or was it part of your job to explain if anybody asked any questions as to what this was all about?

Mr. VOGELPOTH. Yes, it was part of my duty to give explanations to them and to answer any question they put to me.

Mr. FLOOD. Then you acted as a sort of guide and informer in the area during the visits?

Mr. VOGELPOTH. Yes, that is correct.

Mr. FLOOD. What was Slovenczik?

Mr. VOGELPOTH. He was a first lieutenant in the propaganda detail W, and he was assigned to this post right at the beginning, just a few days after Voss had been detailed to the Katyn Forest.

Mr. FLOOD. Why, if you know, witness?

Mr. VOGELPOTH. He was an exceptionally good talker, orator, and—well, he knew his way about very well.

Mr. FLOOD. He was a narrator and a good talker. Did he act as a guide for these groups as well?

Mr. VOGELPOTH. Yes, he did, with the delegations, not with the many visitors coming there on their own, like soldiers and civilians, but expressly for the delegations and commissions.

Mr. FLOOD. I now show the witness exhibit No. 5 and ask him if he can identify any of the officers on that exhibit.

Mr. VOGELPOTH. On the left is Slovenczik; in the center is Voss; and on the right-hand side—I don't know him, I do not believe that it is Dr. Buhtz.

Mr. FLOOD. I now show the witness exhibit No. 8 and ask him if he can identify the German officer in uniform and the group of civilians.

Mr. VOGELPOTH. Slovinczik is on the left. In the light overcoat is the rather well known German author, Luetzkendorf. And one of the other gentlemen in this picture is sitting among the audience here, but I don't know who he is, and he does not want to be mentioned.

Mr. FLOOD. I now show the witness exhibit No. 12 (see p. 1325) and ask him if he can identify that picture.

Mr. VOGELPOTH. That is the beginning of the exhumation in the middle of March. That is the largest grave that was found and opened.

Mr. FLOOD. Have the stenographer mark, as exhibit No. 19, this picture, and exhibit No. 20, the next one.

(Due to incorrect numbering, there is no exhibit 18.)

(The photographs referred to were marked Frankfurt Exhibits Nos. 19 and 20, and are shown below.)

EXHIBIT 19



German officer, Lieutenant Vogelpoth (witness at German hearings), inspecting growth of grass.

EXHIBIT 20



Delegation inspecting group of corpses.



Mr. FLOOD. I now show the witness exhibit No. 20 and ask him if he can identify anybody on that picture.

Mr. VOGELPOTH. On the left, Slovenzik. The man in the black overcoat was a former Polish minister-president, who was killed in an air raid in Berlin in 1944, but the name is unknown to me.

Mr. FLOOD. I now show the witness exhibit No. 19 and ask him if he can identify the person on that picture.

Mr. VOGELPOTH. That is myself.

Mr. FLOOD. What were you doing at the time that picture was taken?

Mr. VOGELPOTH. We were investigating the growth of the grass and of the trees, not as experts.

Mr. FLOOD. That is all.

Chairman MADDEN. Any further questions.

Mr. O'KONSKI. I would like to ask a question.

Chairman MADDEN. Congressman O'Konski.

Mr. O'KONSKI. If they exhumed something like 250 bodies, in round figures, why did the propaganda ministry, or whoever had charge of propaganda, continue to say that there were 11,000 or 12,000 or 15,000 bodies found in Katyn?

Mr. VOGELPOTH. We knew from the Poles, who had told us that between 12,000 and 13,000 Polish officers were missing, and we assumed that all of them were lying buried in the forest of Katyn. The figure of 11,000 was mentioned at the time when the reburying was still carried out. It had not been complete. It is definitely established that the forest of Katyn contained more dead bodies of Polish officers than the 4,250 which were actually found, because, right at the beginning of June, we discovered a new grave of Polish officers, but we just only opened it a bit and had to close it again, because it was getting so hot at that time of the year that we were afraid of epidemics and we would not take the risk, and this grave has never been opened. And this new grave, which we just opened in one spot and closed up again without investigating it, was located about 200 meters between the so-called Korzy Gory—that is, it was located between these hills and the Dnieper Castle. Not near the low part, inside the forest, in the direction leading toward Dnieper Castle.

Mr. O'KONSKI. In other words, they used the figure in their propaganda of 11,000 because they felt that if they had an opportunity to dig up all of the graves they might find 11,000 bodies there, because they heard a report that there were that many Polish officers missing, is that correct?

Mr. VOGELPOTH. The figure of 11,000 originated from my unit. They were asked by Berlin to name a figure or an estimate, and they actually named 11,000, that is, my unit, but later on they found out that they had erred, it could not be correct. As it is, the Katyn Forest only holds the bodies of the Polish officers who came from the camp of Kozielsk, but not those of the other two camps. Later on we learned that apart from the camp of Kozielsk there were another two very large camps of Polish officers.

Mr. FLOOD. May I say that that last statement has some significance in view of the fact that at the other two camps referred to by the witness, the one, Starobielsk, and the third, Ostohkov, contained as

prisoners, both military and civilian, unaccounted for to date, in the neighborhood of 6 to 8 thousand Poles. The 6 to 8 thousand from the other two camps of Starobielsk and Ostoshkov have not been heard from to this day and their bodies have never been discovered.

Chairman MADDEN. Is there anything further you would like to say?

Mr. VOGELPOTH. The previous witness was questioned as to the exact number of graves. I am in a position to give you the exact number of graves.

Chairman MADDEN. We will be glad to have it.

Mr. VOGELPOTH. There were four old graves and a fifth one, which we discovered later in the forest, and new graves. They laid out four large ones and two smaller, single, ones, six all together.

Chairman MADDEN. We wish to thank you for your testimony here this afternoon.

The committee will reconvene at 9:30 in the morning.

(Whereupon at 7:40 p. m., Tuesday, April 22, 1952, a recess was taken until 9:30 a. m., Wednesday, April 23, 1952.)





# THE KATYN FOREST MASSACRE

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WEDNESDAY, APRIL 23, 1952

HOUSE OF REPRESENTATIVES,  
THE SELECT COMMITTEE ON THE KATYN FOREST MASSACRE,  
*Frankfurt/Main, Germany.*

The committee met at 9:30 a. m., pursuant to call, in the main courtroom, Resident Officer's Building, 45 Bockenheimer Anlage, Hon. Ray J. Madden (chairman) presiding.

Present: Messrs. Madden, Flood, Machrowicz, Dondero, and O'Konski.

Also present: John J. Mitchell, chief counsel to the select committee, and Eckhardt von Hahn and Arthur R. Mostni, interpreters.

(The proceedings and testimony were translated into the German language.)

Chairman MADDEN. The committee will come to order.

The first witness is Dr. Sweet.

## TESTIMONY OF DR. PAUL SWEET, WHADDON, BUCKS, ENGLAND

Chairman MADDEN. Doctor, will you give the reporter your full name and address, please?

Dr. SWEET. Paul R. Sweet.

Chairman MADDEN. And your address?

Dr. SWEET. Whaddon, Bucks, England.

Chairman MADDEN. Pardon me, Doctor. Do you mind whether you are photographed or not?

Dr. SWEET. No.

That is my working address.

Chairman MADDEN. Before you testify, it is our wish to invite your attention to the fact that under the German law you will not be liable for slander or libel either in criminal or in civil proceedings for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as a result of your testimony.

Do you understand that?

Dr. SWEET. Yes.

Chairman MADDEN. Now, Doctor, will you stand and be sworn, please?

Dr. SWEET. Yes.

Chairman MADDEN. Do you swear by God the Almighty that you will, according to the best of your knowledge, tell the truth, the whole truth, and nothing but the truth, so help you God?

Dr. SWEET. I do.

Mr. FLOOD. What is your full name?

Dr. SWEET. Paul R. Sweet.

Mr. FLOOD. What is your present occupation?

Dr. SWEET. I am head of the American team in England of the German war documents project.

Mr. FLOOD. Now, you have been requested by the committee to appear here and to bring with you certain documents in possession of your organization that have been described as directly connected with negotiations and communications between certain of the governments concerned, the International Red Cross, and certain other pertinent matters. Is that correct?

Dr. SWEET. Yes, sir.

Mr. FLOOD. Do you have those documents now with you?

Dr. SWEET. I have photostats of them.

Mr. FLOOD. Where are the original documents?

Dr. SWEET. The original documents are in England in the joint custody of the American and British Governments.

Mr. FLOOD. How was this organization with which you are identified set up, and what are its general purposes?

Dr. SWEET. These documents are among those captured by the Military Forces under the command of the Supreme Commander, Allied Expeditionary Forces. They were turned over to the two Governments for joint custody, and this project is in the process of publishing a series of documents to establish as objectively as possible the record of German foreign policy.

Mr. FLOOD. What is your official capacity with this project?

Dr. SWEET. I am head of the American team in England.

Mr. FLOOD. The committee suggested that as you present these documents, you would have prepared at that time a brief description of each document, as it was placed in the record, about a sentence or so in length. Do you have that prepared?

Dr. SWEET. I do, sir.

Mr. FLOOD. Now, if you will let me have all of those documents I will have them marked for identification before you refer to them.

How many are here?

Dr. SWEET. Approximately 20.

(Documents submitted to the committee.)

Mr. FLOOD. I now hand to the stenographer, to be marked for identification, each one of these documents, to be marked with a separate number beginning with No. 21.

(The documents referred to were marked "Frankfurt Exhibits Nos. 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, and 42," and are shown starting on p. 1339.)

Mr. FLOOD. I now show you exhibit No. 21, a document marked for identification, and I ask you to describe what it is and to give your summary on it.

Dr. SWEET. The document is dated the 13th of April 1943, and it is a memorandum by the head of the Cultural Policy Department of the German Foreign Ministry, Dr. Six.

Mr. FLOOD. Very well.

Dr. SWEET. This is the summary for exhibit No. 21:

This document records a telephone call from the Propaganda Ministry. Goebbels asks the Foreign Ministry to invite the Inter-

national Red Cross to send a commission to witness the exhuming of the bodies of Polish officers found in mass graves in the Smolensk region. The exhuming has already begun and has been witnessed by the Polish Red Cross and by delegations of Polish scientists, physicians, artists, and industrialists. Hitler has given the order to send out this story to the world, using all available means.

Mr. Flood. No. 21 is in evidence.

(Exhibit 21 is as follows:)

## EXHIBIT 21

Leiter Kult Pol

An  
Buro RAM

mit der Bitte um Vorlage beim Herrn RAM.

B i l l e t

S o f o r t v o r l e g e n !

Am 13. April 22<sup>30</sup> rief stellvertretender Leiter Abteilung Ausland des Reichspropagandaministeriums Ministerialrat Gregor, und kurz darauf Ministerialdirektor Berndt die Kulturpolitische Abteilung Prof. Six an und gab im Auftrag von Reichsminister Dr. Goebbels folgendes zur Kenntnis: In der Gegend von Smolensk wurde eine GPU-Richtstätte aufgedeckt. In einer Reihe von Massengravern wurden 12 000 polnische Offiziere gefunden. Es handelt sich dabei um sämtlich polnische Offiziere, die den Sowjets bei der Besetzung Ostpolens in die Hände gefallen sind. Es waren an Militär insgesamt 12 000 Offiziere und 300 000 Mann. Von diesen 300 000 Mann sind 10 000 Mann in Iran eingetroffen, jedoch keine Offiziere. Diese in Iran angekommenen Soldaten wissen auch nichts von dem Verbleib ihrer Offiziere. Diese Offiziere waren zuerst untergebracht in den Gefangenenlager Koselisk. Die polnischen offiziellen Stellen haben mit ihnen Verbindung gehabt bis April 1940, dann ist die Verbindung abgerissen. Über ihren weiteren Verbleib liegen jetzt Vermutungen der damit beschäftigten Eisenbahner und Ortsbewohner vor, die die Ankunft der Offiziere beobachtet haben. Die Offiziere wurden nach ihren Aussagen täglich in massen Gruppen angebracht und dann erschossen. Die Ausgrabungen haben gezeigt, dass alle Offiziere im Besitz ihres Kopelzeuges, ihrer Erkennungsmarke, ihrer Orden und Papiere geblieben sind, sodass sie einzeln zu identifizieren sind. An den Ausgrabungen wurden das polnische rote Kreuz und Abordnungen polnischer Wissenschaftler, Ärzte, Künstler und Industrieller beigezogen. Der Führer habe nun Befehl gegeben, diese Angelegenheit in der gesamten Welt mit allen zur Verfügung stehenden Mitteln auszuwerten. Durch Reichsminister Dr. Goebbels sind für 14. April Presse und Film

33573

## EXHIBIT 21—Continued

informiert worden. Reichsminister Goebbels bittet nun darum, dass seitens des Auswärtigen Amtes das Internationale Rote Kreuz zur Exhumierung der Leichen der letzten grossen Massengräber durch Entsendung einer Kommission beigezogen wird. Da die Ausgrabungsarbeiten sehr weit fortgeschritten seien und mit Rücksicht auf die fortgeschrittene Jahreszeit mit einem Zerfall der Leichen zu rechnen sei, wäre eine beschleunigte Einleitung der Einladungen des Internationalen Roten Kreuzes erforderlich. Ich bitte um Weisung.

S i x

Hiermit

Herrn Staatssekretär

m.d. Bitte um Kenntnisnahme vorgelegt.

33574

[Translation of Exhibit 21]

[50/33673]

Head Cult Pol (Dept)

To  
Office of Reich Foreign Minister.

Please submit to the Foreign Minister.

*Urgent!*

Submit at once!

On April 13 at 2230 hrs the deputy head of the Foreign Department of the Reich Propaganda Ministry Counsellor Gregory, and shortly after that, Minister Director Berndt rang Professor Six of the Cultural Policy Department and gave him on behalf of Reichminister Goebbels the following information. In the district of Smolensk a GPU execution ground was discovered. In a number of mass graves 12,000 Polish officers were found. It concerns all the Polish officers who fell into Soviet hands at the occupation of East Poland. In that army there were altogether 12,000 officers and 300,000 men. Of these 300,000 men, 10,000 arrived in Iran but no officers. The men who arrived in Iran know nothing of their officers' whereabouts. These officers were first held in the Prisoner of War Camp in Posen. The official Polish authorities were in contact with them until April 1940, then all contact was severed. Reports of interrogations are now to hand on their further whereabouts, from the railway workers and village inhabitants there [at Katyn], who saw the arrival of the officers. The officers were, according to their statements, brought daily in large groups [to that place] and then shot. The exhumations showed that all officers remained in possession of their identification marks, medals and papers, so that it is possible to identify them individually. The Polish Red Cross and a delegation of Polish scientists, doctors, artists and industrialists were invited to the exhumations. The Führer has now given the order, that the affair should be given the widest possible use and publicity, with every means available. The Press and Film industry have been notified by Doctor Goebbels for April 14.

[end of 50/33673]

[50/33674]

Reichminister Goebbels now asks that through the German Foreign Office the International Red Cross should be drawn into participation in the exhumation of the corpses in the last large mass graves by the sending of a commission. As great progress has been made with the exhumations, and taking into consideration the danger of the corpses decomposing because of the advanced time of the year, a speedy initiation of the invitation to the International Red Cross is necessary.

Please give instructions.

(signed) Six 13/4

Herewith submitted  
to the Secretary of State  
for information.

[50/33674]

Mr. FLOOD. I now show the witness a document marked for identification as exhibit No. 22, and I ask you to describe what it is and give your summary of it.

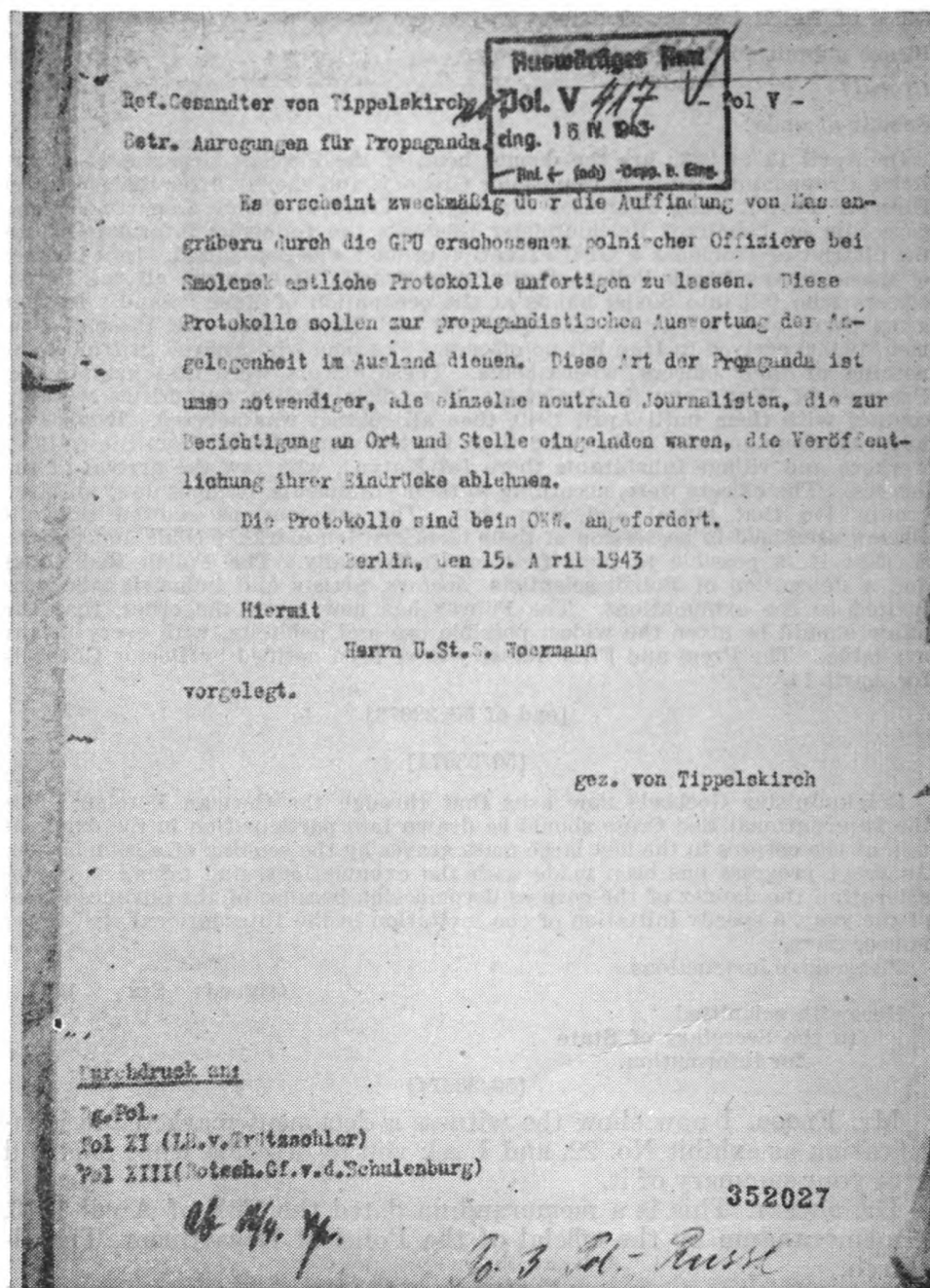
Dr. SWEET. This is a memorandum dated the 15th of April 1943, a memorandum by the official of the Political Department, Toppelkirch.

This memorandum recommends to the Director of the Political Department of the German Foreign Office, Woermann, that official protocols be made about what was found at Katyn for propaganda. This is all the more necessary, since some neutral journalists have declined to have their impressions published.



Mr. Flood. No. 22 is in evidence.  
(Exhibit 22 is as follows:)

## EXHIBIT 22



[Translation of Exhibit 22]

[1327/352027]

Referat. (Office) of Minister von Tippelskirch  
Subject. Suggestions for Propaganda.

Political Dept. V.

[stamp:] Foreign Office  
Pol V 417  
arrival 16.iv.1943

It would appear to be expedient to prepare official records of the discovery of the mass graves of Polish officers shot by the GPU near Smolensk. These records should be of use for propaganda purposes abroad. This kind of propaganda is more essential as individual neutral journalists who were invited to view the site and place [of the discoveries] refused to publish their impressions.

These Protocols are demanded by the Supreme Command of the Armed Forces (OKW)

Berlin 15 April 1943

Herewith submitted to  
Under Secretary of State Woermann

(signed) VON TIPPELSKIRCH.

Copy to  
Director Pol  
Ppt Pol IX (Minister Counsellor von Trützschler)  
Pol XIII (Ambassador Count von der Schulenberg)

Mr. FLOOD. I now show you, witness, a document marked for identification as exhibit No. 23 and I ask you to describe what it is and give your summary of it.

Dr. SWEET. I am sorry, but this sheet of paper here is not an exhibit; it is just a record of a telegram.

Mr. FLOOD. Exhibit 21 was Goebbel's talk, and No. 22 was that report that you thought was necessary because of the neutrals, is that correct?

Dr. SWEET. Yes.

Mr. FLOOD. Very well. Let the record show that the paper marked as Exhibit No. 23 is—what?

Dr. SWEET. That is just a paper for my own reference, a missing document, a telegram from the German Red Cross to the International Red Cross, which is not in our record and which I noted for my own information.

Mr. FLOOD. Very well; we will strike out exhibit No. 23 as not pertinent or material and go on to the next one.

(As noted above there is no exhibit No. 23.)

Mr. FLOOD. I now show you a document marked for identification as exhibit No. 24 and I ask you to describe what it is and give your summary of it.

Mr. SWEET. This is dated the 15th day of April 1943, from the head of the Cultural Policy Department, Dr. Six, to the German Legation in Bern. This is a summary of what has been found so far at Katyn. By April 11, 160 bodies had been taken out and identified. Annexed to this document are interrogations of people who had local knowledge of Katyn.



Mr. Flood. Exhibit No. 24 is now in evidence.  
(Exhibit 24 is as follows:)

## EXHIBIT 24

AUSWÄRTIGES AMT Kult Pol <i>87167/6</i> Anlagen Betrifft: Auffindung von <i>Leichen</i> <del>Leichen</del> <i>polnischer Offiziere</i>	<div style="border: 1px solid black; padding: 5px;">           1943            15. APR 1943            Berlin, den 15. April 1943            Ruppertsdruffstr. 157/20  <i>Klaus Rupp</i> </div>
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In der Anlage werden Lichtbilder der im Wald von Katyn gefundenen ermordeten polnischen Offiziere und Abschriften von Vernehmungen ortsansässiger Russen übersandt.

Die Lichtbilder zeigen:

- 1) einen Überblick über die Fundstelle,
- 2) Lage der Leichen im Massengrab,
- 3) einzelne Leichen, bei denen die Hände auf dem Rücken gefesselt waren,
- 4) eine Leiche, bei der Waffengürtel und Hände über dem Kopf zusammengebunden waren.

Sämtliche Lichtbilder betreffen Leichen ermordeter polnischer Offiziere.

Aus den Aussagen der Russen ergibt sich:

- 1) Die Fundstelle war in den Jahren 1918-1929 ein Hinrichtungsplatz der GPU.
- 2) Im März und April 1940 wurden in täglichen Kolonnen insgesamt tausende polnischer Offiziere, einige polnische Zivilisten, vermutlich Angehörige der Intelligenz, sowie einige polnische Geistliche auf den Mordplatz gebracht. Die Polen kamen angeblich aus dem Gefangenenlager Kozelsk, wurden per Bahn nach Gnesdowa gebracht und von dort auf Lastkraftwagen verladen.

Zur Vorgeschichte des Fundes ist zu bemerken: Im Sommer 1942 hörten einige polnische Angehörige des Wehrmachtsgelages, dass in die fragliche Gegend Polen verschleppt worden seien. Sie gruben auf eigene Faust nach, fanden einige Leichen, kennzeichneten die Fundstelle durch ein Holzkreuz, machten jedoch von dem Fund keine weitere Meldung. Im Februar 1943 hörte die Geheime Feldpolizei

An die Deutsche Gesamtschaft  
*2.2.2*

Gerichte

**E424381**



## EXHIBIT 24—Continued

- 2 -

Gerüchte über ein angebliches Massengrab, untersuchte die angegebene Stelle im März und begann Anfang April, sobald die Witterung es erlaubte, mit grösseren Ausgrabungen.

Bis zum 6. April wurden probeweise an sieben Stellen Grabungen vorgenommen, die sämtlich zu Leichenfunden führten.

Bisher wurden erst einige der Polen- und einige der Russengräber geöffnet. Das grösste Polengrab ist bis zum 11. April in einer Länge von 28 m und in einer Breite von 16 m geöffnet worden. Auf der obersten Schicht liegen etwa 250 Leichen; die Leichen liegen in 12 Schichten übereinander. In diesem einen Grab dürften 2 - 3000 polnische Offiziere liegen. Dicht nebeneinander befindet sich ein weiteres Grab, in dem offensichtlich höhere polnische Stabsoffiziere vergraben wurden. Die Leichen liegen mit dem Gesicht nach unten und weisen nach den bisherigen Feststellungen sämtlich Genickschüsse auf.

Ein Teil der Offiziere, die an einer wieder um wenige Meter entfernten Grabungsstelle gefunden wurden, hatten die Hände auf dem Rücken gefesselt; bei einigen war ein Sack bzw. der Uniformrock über dem Kopf zusammengebunden.

Die Offiziere hatten mit wenigen Ausnahmen keine Wertesachen mehr bei sich, doch konnten in fast allen Fällen die Legitimationsmarken und Ausweisepapiere gefunden werden.

Bis zum 11. April waren 160 Leichen aus den Gräbern herausgenommen und identifiziert worden. Darunter befanden sich zwei polnische Generale, nämlich Brigadegeneral Smarzynsky, Macyslaw aus Lublin, Pl. Litwinski 3 und General Bogaterevitch, Bronislaw. Bisher wurden sämtliche Rangstufen der Offiziere vom Leutnant bis zum General festgestellt. Ein auffallend grosser Teil der Offiziere trägt die Traditionslitze der Pilsudski-Regimenter. In den polnischen Massengräbern dürften sich etwa 90 % Offiziere befinden.

E424782

Die



## EXHIBIT 24—Continued

Die Gesamtzahl der in dem fraglichen Feldgelände verscharrten Polenleichen wird auf Grund der Angaben der Zivilbevölkerung über die ständigen Ausladungen in den Monaten März und April 1940 auf etwa 10 000 geschätzt.

Die Leichen werden von Gerichtsmedizinern der Heeresgruppe Mitte untersucht, der Bericht wird schnellmöglichst angefertigt werden. Er wird möglicherweise Aufschluss geben können über etwaige Verstümmelungen und über die genaue Art der Erschiessung. Verstümmelungen wurden an den bisher geborgenen 160 Leichen nicht festgestellt. Aus der Lage der Leichen kann angenommen werden, dass die Offiziere gezwungen wurden, in das Grab zu steigen und sich selbst hinzulegen. Lediglich die oberste Schicht der Leichen lag quer durcheinander, woraus geschlossen werden kann, dass sie nach der Erschiessung in das Grab geworfen wurden.

Von den Russengräbern ist erst ein ganz kleiner Teil geöffnet worden, auch hier konnte ich bei einigen Leichen über dem Kopf festgebundene Stücke sehen, bei einigen weiteren war der Mund mit Sägespänen ausgestopft.

Die Ausgrabungen werden fortgesetzt, können aber voraussichtlich nur bis Anfang Mai erfolgen, da dann die Gräber bei Eintritt wärmerer Witterung wegen Seuchengefahr geschlossen werden müssen.

Es wird um weitgehendste Auswertung gebeten.

Im Auftrag

JK

E424383



## EXHIBIT 24—Continued

O.U. des 27. Febr. 1943

Auf mündliche Verladung erscheint der Russe  
K i e s e l o w , Perfeon,  
72 Jahre alt,  
Landwirt,  
wohnhaft in Kosogorie  
und erklärt auf Befragen Folgendes:

Ich wohne seit 1907 in Kosogorie. Seit ungefähr  
10 Jahren wurde das Schloss im Wald als Sanatorium für  
höhere R.K.M.D.-Beamte benutzt. Das ganze Waldgelände  
war durch einen 2 mtr hohen Stacheldraht eingemittelt.  
Außerdem war alles durch Posten mit Gewehr gesichert.  
Allen Zivilpersonen war der Zutritt zu dem Waldstück  
streng verboten. Von den Beamten habe ich niemand ge-  
kannt außer dem Hausknecht, der zugleich Lichter war,  
namens Roman S e r g e j e w i t s c h , angeblich aus  
Wjaasma.

Im Frühjahr 1940 wurden zirka 4 - 5 Wochen lang  
täglich 3 - 4 Lastwagen beladen mit Menschen zu dem  
Waldstück gebracht und dort angeblich von der R.K.M.D.  
erschossen. Die Tore waren verschlossen, so dass nie-  
mand sehen konnte, was darin war. Eines Tages, als ich  
auf dem Bahnhof Gnesdowa war, sah ich wie aus den  
Eisenbahnwagen in die mir bekannten Mkw. Männer umstiegen  
und in Richtung Waldstück davonzuhren. Was mit den  
Männern gemacht wurde, kann ich nicht sagen, da sich  
niemand in die Mkw. wagen durfte. Das Schießen und  
Schreien von Männerstimmen habe ich bis in meine Wohnung  
gehört. Es ist wohl anzunehmen, dass die Männer erschossen  
wurden. In der Umgebung macht man keinen Hohl daraus,  
dass hier Polen durch die R.K.M.D. erschossen wurden.  
Die Leute der Ortschaften erzählten, dass es sich um  
zirka 10 000 Polen gehandelt haben soll.

Als das Waldstück durch die deutschen Truppen ein-  
genommen worden war, ging ich in den Wald, um mich zu

E424384

## EXHIBIT 24—Continued

- 2 -

Überzeugen. Ich war der Meinung, ich würde noch einige Leichen finden, aber vergeblich, denn ich fand nur einige frisch aufgeworfene Hügel. Es stand bei mir fest, dass die Toten nur unter den Hügeln liegen konnten. 1942 im Sommer waren Polen bei einer deutschen Einheit in Chiesdown beschäftigt. Eines Tages kamen 10 Polen zu mir und baten mich, ich möchte doch ihnen zeigen, wo ihre Landsleute liegen würden, welche von der H.K.W.D. erschossen worden wären. Ich führte sie in das Waldstück und zeigte ihnen die frischen Hügel. Die Polen baten ferner, ich möchte ihnen eine Hacke und 1 Schaufel leihen, was ich auch getan habe. Ungefähr nach 1 Stunde kamen dieselben empört und schimpfend auf die H.K.W.D. zurück. Die Polen erklärten, dass sie auf einem der Hügel die Leichen gefunden hätten. Als Russisches Zeichen haben sie von Birkenholz 2 Kreuze hingestellt, welche heute noch dort stehen.

Weitere Angaben kann ich keine machen.

Ins Russische U ersetzt und vorgelesen.

Geschlossen	Dolmetscher	gez. Unterschrift.
gez. Unterschrift	gez. Unterschrift	
Poldw.d.Hipo	U.S.S.R.	

E424385



## EXHIBIT 24—Continued

O.U., den 6. April 1943

Vor der hiesigen Dienststelle erscheint  
der Russe

S e h i g u l o w , Michail

geb. am 10. Januar 1915 in Nowo-Bateki,  
dasselbst, Haus 16 wohnhaft,  
verheiratet, 1 Kind, parteilos,  
seit August 1942 beim russ. O.D.  
und gibt an:

Schon als Kind hörte ich, dass aus dem Gefängnis in  
Smolensk Leute nach dem Wald bei Kosigory geschafft und  
dort erschossen würden. Des Öfteren habe ich offene Last-  
kraftwagen, auf denen die Gefangenen unter Bewachung  
transportiert wurden, auf der Rollbahn, aus Smolensk kom-  
mend, in Richtung Kosigory fahren gesehen.

Eines Tages, es war im Jahre 1927, hätte ich mit  
noch anderen Jungen aus dem Dorfe in der Nähe von Kos-  
igory Pferde. Da sahen wir einen Lastkraftwagen aus der  
Richtung Smolensk ankommen und an der Rollbahn bei dem  
Wald von Kosigory halten. Dem Wagen entstieg 11 Leute,  
die in das Gelände abgeführt wurden. Kurze Zeit darauf  
hörten wir Schüsse fallen. Wieder nach einiger Zeit kam  
die Bewachungsmannschaft zurück und das Auto fuhr wieder  
in Richtung Smolensk zurück. Aus Neugierde liefen wir  
Jungens dann in den Wald, um uns die Stelle, wo die Leute  
erschossen worden waren, näher anzusehen. Mich selbst ver-  
ließ aber ein Stück vorher der Mut und ich blieb zurück.  
Hernach erzählten mir die anderen, dass sie die Grube ge-  
funden hätten. Am Grunde der Grube wären ganz frische Blut-  
spuren zu sehen gewesen und ausserdem wären die Leichen  
nur mit wenig Erde bedeckt worden, sodass sie noch Hände  
und Füße herausragen gesehen hätten.

Bemerken will ich noch, dass das Waldgelände bei  
Kosigory zu dieser Zeit noch nicht abgesperrt war. Die  
Jungen, mit denen ich damals zusammen war, sind sämtlich  
zur Roten Armee eingezogen.

Ins Russische übersetzt und vorgelesen:

geschlossen:  
Unterschrift  
0112.R. Hipo

E424386

Nichholz

...Unterschrift...



## THE KATYN FOREST MASSACRE

## EXHIBIT 24—Continued

O.U., den 6. April 1943

Vorgeladen erscheint der Russe  
S l a d k o w, Alexei, geb. am 17.3.1875  
in Choroschawa, Rayon Demidow, wohnhaft  
in Krasny-Dor, Haus Nr. 75, und erklärt:

Ich wohnte in den Jahren 1939 - 1941 in Nowo-Bateki und fuhr jeden Tag mit dem Zug nach Smolensk, wo ich arbeitete. Auf diese Weise hatte ich Gelegenheit, die Überführung der Polen nach Kosił Gory mit eigenen Augen zu beobachten. Im Monat März des Jahres 1940 standen eines Tages 4 - 5 Luxus-Waggons auf einem Nebengleis des Bahnhofs Gnesdowo, in der Nähe der Verladerrampe. Die Insassen durften die Wagen nicht verlassen und zwei Posten mit Gewehr standen davor. Ich ging selbst an den Wagen vorbei und sah Offiziere und Zivilisten an Tischen sitzen. Auf den Tischen standen Weinflaschen und die verschiedensten Speisen, wie z.B. Kurst und Schinken. Die Insassen waren zum grossen Teil Zivilisten, auch einige Frauen waren darunter. Sie waren alle gut genährt und vornehm gekleidet und schon deren als Ausländer zu erkennen. Frauen von Bateki mussten Wasser zu den Waggons bringen, durften jedoch diese selbst nicht betreten. Ich war auch Zeuge, als abends ein Teil der Wagoninsassen auf zwei Lastwagen geladen wurden. Sie hatten alle schwere Koffer bei sich, einige trugen auch Kissen unter dem Arm. Die Verladung wurde 4-5 Tage fortgesetzt, bis die Waggons leer waren. Über Nacht waren dann die Waggons wieder verschwunden und nach etwa 8 Tagen standen sie wieder voll besetzt an derselben Stelle. Dieses Spiel wiederholte sich ununterbrochen während der Monate März und April 1940. Unter der hiesigen Bevölkerung bezeichnete man diese Leute damals allgemein als "polnische Geiseln".

Weitere Angaben kann ich nicht machen.

Ine Russische übersetzt, vorgelesen u. unterschrieben:

Beglaubigt:

Bücker

Offz. u. Hipo

Dolmetscher:

Unterschrift

Edf. (G)

Unterschrift.....

E424387



## EXHIBIT 24—Continued

G.U., den 27. Febr. 1943

Auf Vernehmung erscheint der Russe  
G r i w a s o r s o w , Iwan,  
geb. am 20.6.1918 in Nowe-Batchi,  
damalst im Haus Nr. 89 wohnhaft,  
Bucher,  
ledig,  
parteilos,  
seit Juli 1942 beim russ. G.-D.  
und macht folgende Angaben:

Im Jahre 1940 arbeitete ich in Dorfe Gniadewa in  
der Polchote. Da meine Arbeitsstätte ganz in der Nähe der  
Bahn gelegen war, bemerkte ich in den Monaten März und  
April 1940 täglich 3 - 4 Züge aus Smolensk kommend, mit  
je 3 - 4 Waggons, die ich an den vergitterten Fenstern  
deutlich als Arrestwagen erkannte. Diese Arrestwagen wur-  
den im Bahnhof Gniadewa abgestellt. Meine Schwester  
Maria erzählte mir dann, dass sie selbst gesehen hätte,  
wie aus den abgestellten Waggons polnische Soldaten,  
Zivilisten und auch einige Geistliche in geschlossene  
Kw. 's verladen wurden. Allgemein hörte man, dass die  
Kw. 's nach Koscigerie zum H.W.D. gefahren und die Leute  
dort erschossen worden wären. Ich selbst habe davon nichts  
gesehen und auch meine Schwester erzählte mir nichts Wei-  
teres.

Weitere Angaben kann ich nicht machen.

Ins Russische Übersetzt und vorgelesen.

geschlossen	Zeichensetzer	Unterschrift.
Unterschrift	Nichols	
Witz. u. Kipo	Witz.	<b>E424388</b>

Yorpski: Die Schwester des G r i w a s o r s o w , Iwan,  
ist beim Herannahen der deutschen Kruppen zum  
Abtransport von Mich aus der Wohnung von den  
Polenwachen verschleppt worden und ist jetzt  
unbekannten Aufenthalts.

Unterschrift.  
Witz. und Kipo



## EXHIBIT 24—Continued

O.U., den 5. April 1943

Auf der Dienststelle findet sich ein der  
Russe

K r i w o s e r s o w, Ivan,

geb. am 20.7.1915 in Nowo-Bateki,

ledig,

Bisondroher,

wohnhaft in Nowo-Bateki, Haus Nr. 119,

Bez. Smolensk,

parteilos,

seit Juli 1942: O.-D.-Mann

und sagt aus:

Durch meine Eltern, bekannte Dorfbewohner, habe ich ge-  
hört, dass das Gelände von Kosi-Gory (Ziegenberg) seit dem  
Jahre 1918 als Raststätte von der Tscheka, später von der  
O.G.P.U., O.G.E.U. und zuletzt von der H.M.V.D. benutzt wurde.

Bis zum Jahre 1931 konnten wir, d.h. die Dorfbewohner in  
diesem Gelände gehen, um dort Milch und Eier zu sammeln und  
auch ich habe als Junge in Kosi-Gory Milch gesucht. Bei dieser  
Gelegenheit bin ich wiederholt von den Wörtern auf die frischen  
Gräber hingewiesen worden.

Im Jahre 1931 wurde das Gelände von Kosi-Gory eingezäunt.  
Das Betreten durch Privatleute, die von der O.G.P.U. unterschrie-  
ben waren, verboten. 1934 wurde, wie ich gehört habe, in diesem  
Gelände ein grosses Haus gebaut, das für die H.M.V.D.-Leute als  
Erholungsheim bestimmt war.

Vollstreckungen in Kosi-Gory wurden in den Jahren 1918 -  
1929 und von 1940 ab durchgeführt, in den Zwischenjahren sind  
keine Transportwagen gesehen worden, die in das Gelände gefah-  
ren sind.

Ab 1940 ist das Gelände von Kosi-Gory ausserdem noch von  
Posten und Hunden bewacht worden. In den Monaten März und April  
1940 sind viele Gefangenentransportwagen in Gniadowa einge-  
troffen. Die Gefangenen wurden in die Gefangenentransportkraft-  
wagen, die im Volkswort die "schwarzen Raben" hiessen, gepfercht  
und die Wagen sind dann vom Bahnhof Gniadowa auf die Landstrasse  
in Richtung Katyn gefahren. Schüsse aus dem Gelände von Kosi-

E424389

- 2 -

## EXHIBIT 24—Continued

- 2 -

Gory habe ich nie gehört.

Ins Russische übersetzt und vorgelesen:

geschlossen:	Dolmetscher:	Unterschrift.
Hühne	Nichholz	.....
Gefr. und Hipo	Uffz.	

E424390

## EXHIBIT 24—Continued

O.U., den 28. Februar 1943

Auf Vorladung erscheint der Russe  
A n d r e j e w , Ivan,  
geb. am 22.1.1917 in Nowo-Bateki,  
dasselbst, Haus Nr. 2 wohnhaft,  
Schlosser,  
verheiratet,  
parteilos

und macht als Zeuge folgende Angaben:

Ungefähr Mitte März bis Mitte April 1940 kamen im Bahnhof Gnesdowa täglich 3 - 4 Züge an. 2 - 3 Waggons waren ausgesprochene Arrest-Lagen. Diese wurden am Bahnhof abgestellt. Die Insassen, zum Grossteil polnische Soldaten, die ich an der Mütze erkannte, sowie auch Zivilisten wurden aus den Waggons in geschlossene L.K.W.'s verladen. Die Lkw's führen dann die Strasse vom Bahnhof zur Rollbahn und bogen dann links in Richtung Katyń ab. Ich habe dann einige Male beobachtet, dass sie ungefähr 2 1/2 km von hier von der Rollbahn abbogen und gegen Kosigory fuhren. Ich habe es nicht selbst gesehen, doch mehrfach gehört, dass diese Leute in Kosigory beim H.M.M.D. erschossen worden sind.

Weitere Angaben kann ich nicht machen.  
Ins Russische Übersetzt und vorgelesen.

geschlossen  
Uffz. und Hipo

Dolmetscher  
Uffz.

E424391

## EXHIBIT 24—Continued

O.U., den 5. April 1943

Auf Vorladung erscheint der Russe  
G o d o n o w , Kuzma,  
geb. am 25.10.1877 in Nowo-Bateki,  
verh., 5 Kinder,  
Landwirt,  
wohnhafte seit Geburt in Nowo-Bateki, Haus ohne  
Nummer,  
parteilos.

erklärt folgendes:

Seit 1918 wurde ich als Stallknecht bei der Kolchose  
in Nowo-Bateki beschäftigt. Allen Bewohnern der Umgegend  
war bekannt, dass Kosi-Gory als Richtstätte von der Tscheche  
benutzt wurde. Ich erinnere mich noch, dass im Jahre 1921  
aus dem Dorf Satylki, Krs. Kaspiansk die zwei Söhne des  
Iwan K u r t s c h a n o w a Ende Mai, Anfang Juni 1921 in  
Kosi-Gory erschossen wurden. Als ich an diesem Tage gegen  
3 Uhr meine Wohnung verließ, um die Pferde zu füttern,  
begegnete mir auf der Rollbahn ein offener L.K.W., beladen  
mit 10 - 15 Mann, welcher von der Tscheche bewacht wurde.  
Beim Vorbeifahren wurde ich von zwei Männern mit den Worten  
"Auf Wiedersehen, Onkel" angerufen. Ich erkannte sofort  
die beiden Söhne des Iwan Kurtschanowa. Als ich ungefähr  
zwei Wochen nachher die Eltern der Erschossenen traf, wurde  
meine Mutmaßung bestätigt, indem sie erklärten, es wäre  
ihnen mitgeteilt worden, dass ihre beiden Söhne in Kosi-  
Gory erschossen wurden.

Ungefähr Mitte Juni 1921 wurde im Dorf Serubinki, Krs.  
Kaspiansk der Feodor I s a t s c h e n k o w ebenfalls  
durch die Tscheche verhaftet und in Smolensk durch die "Pro-  
ka" zum Tode verurteilt. Wie die Eltern des J. mir er-  
zählten, soll ihr Sohn Feodor ebenfalls in Kosi-Gory er-  
schossen worden sein.

- 2 -

E424392



## EXHIBIT 24—Continued

O.U., den 28. Februar 1943

Auf Vorladung erscheint der Russe  
A n d r e j e w , Ivan,  
geb. am 22.1.1917 in Kowo-Bateki,  
dieselbst, Haus Nr. 2 wohnhaft,  
Schlosser,  
verheiratet,  
parteilos

und macht als Zeuge folgende Angaben:

Ungefähr Mitte März bis Mitte April 1940 kamen im Bahnhof  
Gnieszowa täglich 3 - 4 Züge an. 2 - 3 Waggons waren ausge-  
sprochene Arrest-lagen. Diese wurden am Bahnhof abgestellt.  
Die Insassen, zum Grossteil polnische Soldaten, die ich  
an der Mütze erkannte, sowie auch Zivilisten wurden aus den  
Waggons in geschlossene L.K.M.'s verladen. Die Lkw's  
führten dann die Strasse vom Bahnhof zur Rollbahn und bogen  
dann links in Richtung Katyń ab. Ich habe dann einige Male  
beobachtet, dass sie ungefähr 2 1/2 km von hier von der  
Rollbahn abbogen und gegen Kosigory fuhren. Ich habe es  
nicht selbst gesehen, doch mehrfach gehört, dass diese  
Leute in Kosigory beim L.K.M.D. erschossen worden sind.

Weitere Angaben kann ich nicht machen.  
Ins Russische Übersetzt und vorgelesen.

geschlossen	Dolmetscher
Uffz. und Hipo	Uffz.

E424391

## EXHIBIT 24—Continued

O.U., den 5. April 1943

Auf Vorladung erscheint der Russe  
G o d o n o w , Kusma,  
geb. am 25.10.1877 in Nowo-Bateki,  
verh., 5 Kinder,  
Landwirt,  
wohnhafte seit Geburt in Nowo-Bateki, Haus ohne  
Nummer,  
parteilos.

erklärt folgendes:

Seit 1918 wurde ich als Stallknecht bei der Kolchose  
in Nowo-Bateki beschäftigt. Allen Bewohnern der Umgegend  
war bekannt, dass Kosi-Gory als Richtstätte von der Tscheche  
benutzt wurde. Ich erinnere mich noch, dass im Jahre 1921  
aus dem Dorf Satylki, Kra. Kaspiansk die zwei Söhne des  
Iwan K u r t s c h a n o w a Ende Mai, Anfang Juni 1921 in  
Kosi-Gory erschossen wurden. Als ich an diesem Tage gegen  
3 Uhr meine Wohnung verließ, um die Pferde zu füttern,  
begegnete mir auf der Rollbahn ein offener L.K.W., beladen  
mit 10 - 15 Mann, welcher von der Tscheche benutzt wurde.  
Beim Vorbeifahren wurde ich von zwei Männern mit den Worten  
"Auf Wiedersehen, Onkel" angerufen. Ich erkannte sofort  
die beiden Söhne des Iwan Kartschanowa. Als ich ungefähr  
zwei Wochen nachher die Eltern der Erschossenen traf, wurde  
meine Mutmaßung bestätigt, indem sie erklärten, es wäre  
ihnen mitgeteilt worden, dass ihre beiden Söhne in Kosi-  
Gory erschossen wurden.

Ungefähr Mitte Juni 1921 wurde in Dorf Serubinski, Kra.  
Kaspiansk der Feodor I s a t s c h e n k o w ebenfalls  
durch die Tscheche verhaftet und in Smolensk durch die "Trot-  
ka" zum Tode verurteilt. Wie die Eltern des J. mir er-  
zählten, soll ihr Sohn Feodor ebenfalls in Kosi-Gory er-  
schossen worden sein.

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E424392

2

Aus welchem Grunde die Erschiessungen stattfanden, ist mir nicht bekannt. Nach den Aussagen der Eltern sowie der Bekannten waren die Erschossenen antikomunistisch.

Das Waldgelände Kosi-Gory durfte bis 1951, wenn nicht gerade Erschiessungen stattfanden, von jedermann betreten werden. Kinder, welche dort Pilze suchten, erzählten immer von frischen Grabhügeln.

Weitere Angaben kann ich nicht machen.

Ins Russische übersetzt und vorgelesen.

geschlossen  
Feldw. und Hipo

Dolmetscher  
Uffz.

Gen. Medynof

E424593



## EXHIBIT 24—Continued

O.U., den 4. März 1943

An

Gruppe Gen. Feldpolizei 570  
Über A. O. K. A.

Betr.: Auffindung eines Massengrabs von der NKWD im Jahre 1940 erschossener Polen im Waldgelände an der Holzbahn Smolensk - Autobahn (Auffahrt von Mitebsk), nordostwärts von Katyn.

Von einer Auskunftsperson wurde Anfang Februar gemeldet, dass in der Umgebung von Katyn mehrere Tausend Polen vergraben sind, die in den Monaten April/Mai 1940 durch Angehörige der NKWD dort erschossen seien.

Nachforschungen ergeben die Richtigkeit der Angaben. In dem Waldgelände nordostwärts des Ortes Katy befinden sich mehrere aufgeworfene Hügel, unter denen die vergrabenen Leichen liegen. Wegen des Bodenfrostes konnte nur ein Stück von 2 m im Quadrat auf einem der Hügel freigelegt werden. In 2 m Tiefe wurden mehrere dicht beieinanderliegende Leichen gefunden, die zum grossen Teil bereits in Verwesung übergegangen sind. Nach Lage der Leichen muss angenommen werden, dass diese in mehreren Schichten übereinander liegen. Von der Bekleidung einer Leiche wurde ein Knopf entfernt, auf dem sich der polnische Adler befindet. Inwieweit Veräusserung der Leiche vorliegt, kann erst durch Grabungen grösseren Ausmasses festgestellt werden.

Um Einzelheiten zu erfahren, wurden mehrere Einwohner der Umbarorte hierzu vernommen. So sagt ein 72 jähriger Russe aus, dass sich in dem Waldgelände seit etwa 10 Jahren ein Sanatorium für höhere NKWD Beamte befunden habe. Der Zutritt zu dem mit Stacheldraht umzäunt und durch Posten bewacht gewesenen Gelände war Unbefugten verboten. Der Russe will im Frühjahr 1940 mehrere Wochen täglich 3 - 4 verschlossene Kkw. gesehen haben, auf denen die später Erschossenen vom Bahnhof Gnesdowo nach dort transportiert seien. Das Schreien der Männer und das Schiessen will er jeweils nach den

-2-

E424394



## EXHIBIT 24—Continued

- 2 -

Transporten aus dem betreffenden Wald in seiner entfernt liegenden Wohnung gestört haben.

Nach den Erzählungen anderer soll es sich um rund 10.000 Personen handeln.

Ein anderer am Ausladebahnhof a.Zt. beschäftigt gewesener Einwohner sagt aus, es seien in den Monaten März/April 1940 täglich 9 bis 12 Gefangenenzüge (Eisenbahnwagen) auf der Bahnstation Gnesdowo eingetroffen. Die Insassen sollen polnische Soldaten, Zivilisten und Geistliche gewesen sein. Auch er will beobachtet haben, dass der Abtransport in geschlossenen Kkw. in Richtung Katyn erfolgte.

Ähnliches sagte ein dritter Einwohner aus.

Augenzeugen über die Erschiessungen selbst sind bisher nicht ermittelt worden.

Die Urschrift des Vorganges ist dem Io/AO der Heeresgruppe Mitte unter Hinweis auf die Möglichkeit der propagandistischen Auswertung zwecks Entscheidung vorgelegt worden. .

Von dort ist eine Abschrift an d. s. GKM weitergeleitet, das über die Auswertung entscheiden soll; eine zweite Abschrift ist dem Leitenden Gerichtsmediziner Prof. Dr. Buntz beim Heeresgruppenarzt zur Kenntnisnahme zugeleitet.

Nach Eingang weiterer Weisung werden die Ausgrabungen unter Beteiligung des Prof. Dr. Buntz und der Propaganda-Abteilung W durchgeführt.

(Voss)

Feldpolizeischreiber

E424395

[Translation of Exhibit 24]

German Foreign Office  
Kult Pol L VI 6716  
Annexes

Berlin 15 April 1943  
Kurfürstenstr. 137

Concerning: Discovery of mass graves of murdered Polish Officers.  
To the German Embassy—Bern.

In the annex will be found photographs which were sent of murdered Polish officers discovered in the forest at Katyn and copies of the examinations of local Russians.

The photographs show:

- 1) A view of the site of discovery
- 2) Position of corpses in the mass graves
- 3) Single corpses, the hands tied behind backs
- 4) One corpse with the tunic and hands tied together above the head

All photographs concern the bodies of murdered Polish officers.

From the statements of the Russians it can be deducted:

- 1) The site was from 1918–1929 an execution ground belonging to GPU
- 2) In March and April 1940 thousands of Polish officers, a few Polish civilians, suspected members of the intelligentsia as well as several Polish clergy, were brought daily in columns to the place of execution. The Poles allegedly came from the prison camp in Kosielsk, were brought by train to Gnesdowe and were there loaded onto lorries.

The following comment can be made on the circumstances leading up to the discovery: In the summer of 1942 Polish members of the Wehrmachtsgelages heard that Poles had been deported to the place in question. On their own initiative they dug, found several corpses, marked the place with a wooden cross but made no report in spite of their discovery. In February 1943 the Secret Security Forces [end of sheet 5827/E424381] heard rumours about an alleged mass grave, inspected the indicated spot in March, and began major excavation at the beginning of April as soon as the weather allowed.

Until April 6th digging experiments were made in seven different places, and all these led to the discovery of corpses.

Until now only a few of the Polish and Russian graves have been opened. The largest Polish grave had been opened to a length of twenty-eight meters and breadth of sixteen meters by April 11th. 250 corpses lie in twelve layers one on top of the other. In this one grave 2,000–3,000 Polish officers ought to be lying. Close by is a wider grave in which apparently Polish staff officers were buried. The corpses lie face downwards and all show shots in the neck, according to present examinations.

One section of the officers who were found in another grave again a few meters away, had their hands tied behind their backs; a few had uniform tunics or sacks tied over their heads.

With a few exceptions the officers had no valuables on them, but in nearly every case identity cards and papers were found.

By April 11th, 160 corpses had been taken out of the graves and identified. Among these were two Polish generals, Brigadier-General Smorawinsky, Mieczyslaw of Lublin Pl, Litwinski 3 and General Bronislaw Bogaterewitsch. Until now all ranks of officers from lieutenant to general have been identified. A strikingly large section of the officers are wearing the traditional braid of the Pilsudski Regiments. Of the corpses in the Polish mass graves it is estimated that 90% are officers. [end of sheet E424382] The total number of buried Polish corpses in the said woodland is estimated (on the grounds of statements made by civilian persons about the constant unloading in March and April 1940) at about 10,000.

The corpses were examined by forensic pathologists of Army Group Mitte and the report will be made as soon as possible. It will give information about possible mutilations and the exact nature of the shooting. Mutilations on the 160 corpses could not be determined. The position of the corpses indicates that the officers were forced to climb into the grave and to lie down in it. Only the corpses in the upper layer were found lying obliquely one on top of the other, from which fact it can be assumed that they were thrown into the grave after being shot.

[Translation of Exhibit 24—Continued]

Only a small section of the Russian graves have been opened so far, but here also I could see that sacks had been tied over the heads of some corpses; a few had their mouths stuffed with sawdust.

The exhumations are being continued but probably only until the beginning of May, as then the graves have to be closed because of fear of epidemic at the entry of warmer weather.

It is suggested that you should make as much public use of this as possible.

By order

Six

[End of sheet E424383]

O. U. the 27 February 1943

On verbal invitation, appeared the Russian,

Kieselow, Parfeon,

72 years old,

Farmer

Resident in Kosegorie

and declared, on interrogation, the following.

"Since 1907 I have lived in Kosegorie. Approximately ten years ago, the castle and the woodland was first used as a sanatorium for senior NKVD officials. The whole wooded area was surrounded by barbed wire to the height of about two metres. Moreover everything was guarded by armed sentries. No civilians were allowed entry. I did not know any of the officials, only the house servant, who was also watchman. His name was Roman Sergejewitsch, allegedly from Vjasnir.

"In the spring of 1940, daily, for four to five weeks, three to four lorries loaded with people were brought to the woodland and there presumably shot, by the NKVD. The lorries were closed, so that no one could see what they contained. One day, as I was standing on Gniesdowa station, I saw men dismounting from the train and getting into the familiar lorries, which drove away in the direction of the wood. What happened to the men, I could not say, as no one dared to go near. The sounds of shots and men screaming could be heard in my house. It is to be assumed that the men were shot. In the vicinity no bones were made of the fact that Poles had been shot by the NKVD. The people in the village said that about 10,000 Poles were shot. After the area had been occupied by German troops, I went into the wood to convince myself. I was of the opinion that I might find some corpses

[end of 5827/E424384]

but in vain, because I found only a few thrown up mounds. I was convinced that the dead could only be lying under the mounds. In the summer of 1942, certain Poles were with a German unit at Gniesdowa. One day ten of them came to me and asked me to show them where their countrymen, who had been shot by the NKVD, were buried. I led them to the wooded site and showed them the new mound. The Poles then asked me to lend them a hoe and a spade, which I did. After about an hour, they came to me very indignant and abusive of the NKVD. They explained that in one of the mounds they had found corpses. They marked the spot with two crosses made of birchwood which are there to this day.

"I am unable to make any further statement."

Translated into Russian and read aloud.

Sealed xyz

signed xyz

Sergt of Hilfspolizei

Interpreter xyz

NCO

[Translation of Exhibit 24—Continued]

[5827/E424386]

O. U. the 6 April 1943.

Before the local headquarters appeared the Russian

Schigulow, Michail

Born 10 Jan 1915 in Novo Bateki

Resident there in House No. 16

Married, one child, no party.

Since 1942, with the Russian OD

and stated:

"Already as a child I heard that people from Smolensk prison were taken to the wood near Kosigorie and were there shot. I often saw open powered trucks on the highway on which prisoners under guard were transported, coming from Smolensk and travelling in the direction of Kosigorie.

"One day in 1927 I, together with some other village boys, was looking after horses. We saw a powered truck coming from the direction of Smolensk and stopping on the highway near the Kosigorie wood. Eleven people dismounted and were led off into the woodland. A short time after this we heard shots; again after some time the guards came back and the truck returned in the direction of Smolensk. Out of curiosity we boys ran into the wood in order to examine more closely the spot where people had been shot. I myself lost courage before reaching the spot and remained behind. Afterwards the others told me that they had found the grave. On the edge of it they had seen very fresh bloodstains. And moreover, the corpses had only been covered with a little earth so that they saw hands and feet sticking out.

"I should like to comment that at this time the woodland near Kosegorie was not shut off. The boys with whom I was at Kosegorie at that time were all conscripted into the Red Army."

Translated into Russian and read before me.

Signature

N. C. O. and Auxiliary  
Policeman

Signed

EICHHOLZ

N. C. O. and Interpreter.

[5827/E424387]

O. U. 6 April 1943.

On invitation the Russian Sladkow, Alexei, appeared, born 17.3.1875 in Chorowschawa, County Demodow, resident in Krassny-Bor, House No 75 and deposed.

"I lived in the years 1939-41 in Novo Bateki and travelled by train to Smolensk every day where I worked. In this way I had the opportunity to witness the transfer of the Poles to Kosiel Gorie with my own eyes. One day in March 1940 four or five passenger coaches (Luxus wagons) stood on a railway siding of the Gnesdowa station, in the vicinity of the loading platform. The passengers were not allowed to leave the carriages and two armed sentries stood in front of them. I myself passed the carriage and saw officers and civilians sitting at tables on which were bottles of wine and various types of food, such as sausage and ham. The passengers were mostly civilians with a few women among them. They were all well-fed and decently dressed and from this already recognizable as foreigners. Women from Bateki had to carry water to the carriages but were not allowed to enter them. I was also witness when in the evening a section of the passengers were loaded onto two trucks. They all had heavy suitcases with them and a few also carried cushions under their arms. The unloading was continued for four to five days until the carriages were empty. The carriages disappeared during the night and after eight days they were again on the same spot, fully occupied. This performance was repeated unceasingly in March and April 1940. At that time the local population described these people as 'Polish hostages'.

"I am unable to make any further statement."

Translated into Russian and read aloud (to me)

Signature.

Interpreter

Special officer

Signature.

Witnessed

BÖSCKE

NCO and Auxiliary

Policeman

[Translation of Exhibit 24—Continued]

[5827/E424388]

O. U. the 27 Feb 1943

On invitation appeared the Russian,

Griwasorzow Iwan,

Born on 20.6.1916 in Nowo Bateki

resident there House No 119

Turner

Bachelor

Non party

employed since July 1942 with Russian OD

and made the following statement:—

"In the year 1940 I was working in the village Gniesdowa on the collective farm. As my job was quite near the railway I noticed in March and April 1940 three to four trains consisting of three to four carriages which I recognised from the barred windows as obvious prison carriages, coming daily from Smolensk. These prison carriages stopped at Gniesdowa station. My sister Daria then told me that she herself had seen Polish soldiers, civilians and a few clergy leaving the carriages and being loaded into closed trucks. Generally one heard that the lorries had been driven to Kosigorie by the NKVD and that there the people had been shot. I myself saw nothing of this and my sister did not go into further details.

"I am unable to give further information."

Translated into Russian and read before me.

Signature

Sealed

Signature

Interpreter

Eichholz

NCO and Auxiliary Policeman

NCO

NOTE. The sister of Griwasorzow, Iwan, at the approach of German troops to drive cattle from the collective farm was kidnapped by the Bolsheviks and her present whereabouts are unknown.

Signed

NCO and Auxiliary Policeman

[5827/E424389]

O. U. the 5 April 1943

The Russian citizen

Kriwosierzew, Ivan,

born 20.7.1915 in Nove Bateki

Bachelor

Ironworker

resident in Novo Bateki House no 119

County Smolensk.

Non party

since Juli 1942 and OD man.

appeared at the office and made this statement:—

"From my parents, who are well known in the village, I heard that the woodland of Kosi-Gory (Goats' Hill) has been used as a place of execution since 1918 first by the Tschecha, then the GPU, OGPU and later by the NKVD.

"Until 1931 we, the villagers, were allowed to walk in the woodland and to gather mushrooms and berries. As a boy I picked mushrooms in Kosi-Gory. On this occasion I was repeatedly shown the new graves by the older people.

"In 1931 the woodland of Kosi-Gory was fenced in and entry prohibited by notice-boards signed by the OGPU. I heard that in 1934 a large house was built inside the wooded area which was meant as a sanatorium for the NKVD.

"Executions were carried out in Kosigorie from 1918 to 1929 and from 1940 onwards. In the intervening period no transport lorries were seen to drive into the area.

[Translation of Exhibit 24—Continued]

"From 1940 the woodland was additionally guarded by sentries and dogs. In March and April 1940 many prison transport waggons arrived in Gniesdowa; the prisoners were cooped up into prison lorries commonly known as 'black raven' and the lorries then travelled along the road from Gniesdowa station in the direction of Katyn. I never heard any shots

[end of 5827/E424389]

from the Kosi Gory wood."

Translated into Russian and read before me.

Scaled  
HÖHNE

*Corporal of Aux Police*

Signature  
E424390  
Interpreter  
EICHHOLZ  
NCO

[5827/ E424391]

O. U. the 28 February 1943

On Invitation appeared the Russian  
Andrejew, Ivan  
born on 22.1.1917 in Nove Bateki  
Resident there House No. 2.  
Locksmith  
married  
Non party

and made as witness the following statement:—

"Approximately from the middle of March until the middle of April 1940, three to four trains arrived daily in Gniesdowa. Two to three carriages of each were decidedly arrest carriages. These stopped at the station. Passengers who were mostly Polish soldiers whom I recognised from their caps, as well as civilians, were taken from the carriages and loaded into closed lorries. The lorries were driven along the station road towards the railway and then turned left in the direction of Katyn. I noticed several times that they turned off the highway two and a half kilometres from here and were driven in the direction of Kosigory. I never saw it myself but heard several times, that these people were shot in Kosigory by the NKVD.

"I am unable to make any further statement."

Translated into Russian and read before me.

Scaled

*NCO and Aux Policeman*

Interpreter  
NCO

[5827/E424392]

O. U. the 5 April 1943

On invitation appeared the Russian  
Godonow, Kusma  
born on 25.10.1877 in Nowo Bateki  
Married Five children  
Farmer  
Resident since birth in Nowo Bateki House without number  
Non Party.

and made the following declaration:—

"Since 1918 I have been employed as an ostler on the collective farm at Novo Bateki. It was known to all the people in the neighbourhood that Kosigorie was being used as a place of execution by the Tscheka. I still remember that in 1921 between the end of May and the beginning of June, the two sons of Ivan

[Translation of Exhibit 24—Continued]

Kurtschanowa from the village of Satylki, County Kaspliansk, were shot in Kosigori. As I left my house on that day at about three o'clock, to feed the horses, I was met on the highway by an open truck loaded with ten to fifteen men all guarded by the Tscheka. As it passed two of the men called to me 'Goodbye Uncle!' I immediately recognised the two sons of Ivan Kortschanowa. When I met their parents about two weeks later, my suspicions were confirmed because they had been informed that their two sons had been shot in Kosigorie.

"Approximately in the middle of July, Feodor Isatschenkow was also arrested in the village of Sarubinki, County Kasplianski, and sentenced to death by the 'Troika', in Smolensk. His parents told me that their son Feodor was also shot at Kosigorie.

[End of 5827/E424392]

"The reasons for the shootings are unknown to me. Judging by the statements of the parents and acquaintances, the victims were anticommunistically inclined.

"When executions were not taking place, the Kosigorie woodland was open to all until 1931. Children who gathered mushrooms there always told of new gravemounds.

"I am unable to give further information."

Translated into Russian and read before me

(Signed) KLODYNOF  
424393

Sealed  
Sgt of Aux Police

Interpreter  
NCO

[5827/E424394.5.]

O. U. 4 March 1943

To: Secret Field Police Group 570 via Aok 4.

Subject: Discovery of a Massgrave of Poles shot in 1940 by the NKVD, in the wooded area by the road Smolensk Motor road (approach from Vitezsk) North East of Katyn.

At the beginning of February it was reported by a contact, that in the vicinity of Katyn several thousand Poles are buried, having been shot by members of the NKVD in April and May 1940.

Investigations revealed the truth of the statement. In the woodland north of Katyn there were several thrown-up mounds under which lie the buried corpses. Because of ground frost only a part two metres square could be uncovered of one of the mounds. At a depth of two metres numerous corpses were found lying close together, decomposition having set in for the greater part. Judging by the position of the bodies it must be assumed that they are lying in several layers, one above the other. A button bearing the Polish Eagle was removed from the clothes of one of the corpses. How far the corpse shows mutilation, can only be determined by excavations carried out on a larger scale.

In order to discover details, several inhabitants of the neighbouring locality were interrogated. A 72 year old Russian states that a sanatorium for senior NKVD officials has been situated in the woodland for about ten years. Entrance to the area, fenced in and guarded by sentries, was prohibited to unauthorised persons. Daily for several weeks in the spring of 1940 the Russians saw three to four closed lorries on which the people who were later shot were transported from Gniesdowa station to the woodland in question. At times he heard men's screams and shooting

[end of 5827/E424394]

coming from the wood in question, in his house which was a considerable distance away.

According to the reports of others, about 10,000 people seem to have been involved.

[Translation of Exhibit 24—Continued]

Another inhabitant who was at the time employed on the unloading station states, that in the months of March and April 1940, daily nine to twelve prison waggons arrived at the Gniesdowa station. Passengers are reported to have been Polish soldiers, civilians, and a few clergy. He also noticed that they were taken away in closed lorries in the direction of Katyn.

A third inhabitant of the locality made a similar statement.

Eyewitnesses of the shooting itself have so far not been discovered.

The original of the previous report has been laid before the Ic/AO of Army Group Mitte. with a reference to the possibility of its use for propaganda purposes, for his decision.

From there a copy was sent to the Supreme Army Command (OKH) for a decision on its use: a second copy was passed for information to the senior forensic pathologist Professor Dr. Buhtz at the Medical Army Group.

After the arrival of further instructions the exhumations will be carried out with the participation of Professor Dr. Buhtz and Propaganda Section W.

Voss,  
*Secretary*  
*Field Police*

Mr. FLOOD. I now show you exhibit No. 25, a document which has been marked for identification, and I ask you to describe what it is and give your summary of it.

Dr. SWEET. This is dated the 17th of April 1943, and it is a memorandum by the State Secretary of the German Foreign Ministry, Weizsaecker, and it records that Hitler has ordered an additional appeal to the Red Cross in Geneva, this appeal to be signed by the Duke of Coburg, head of the German Red Cross and well-known abroad. Hitler's directive was his own idea after he had heard of the activity of the Polish ex-Government in the same matter. The Duke of Coburg's telegram already should have reached Geneva.



Mr. Flood. Exhibit No. 25 is now in evidence.  
(Exhibit 25 is as follows:)

## EXHIBIT 25

Berlin, den 17. April 1943.

St.S.No. 243

In Verfolg der vorgestern vom Deutschen Roten Kreuz nach Genf gerichteten Aufforderung, das Internationale Rote Kreuz möge sich an der Feststellung der russischen Greuelthaten an polnischen Offizieren beteiligen, hat der Führer heute Nacht eine zusätzliche Aufforderung des Deutschen Roten Kreuzes nach Genf angeordnet. Diese zusätzliche Aufforderung wäre vom Herzog von Coburg zu unterzeichnen, damit dessen international bekannter Name zum Tragen komme.

Die Weisung des Führers war eine spontane, nachdem ihm die Meldung der Betätigung der Polnischen Ex-Regierung in der gleichen Sache vom Reichspressechef vorgelegt worden war.

Die Nachricht über die Anordnung des Führers ist mir heute Nacht vom Promi mitgeteilt worden. Das Telegramm des Herzogs, das mir dabei vorgelesen wurde, dürfte heute Nacht abgegangen sein. *ausgegeben am 17. April 1943*

gez: Weisbacher.

Telefonat an

Herrn Botschafter von Rintelen

Herrn Dr. M e g e r l e

- je besonders -

Durchschlag auf

Herrn V. L. B. Rüdiger

Presse-Abteilung

Herrn Prof. Six

Herrn U. St. S. Pol.

33587

ak 11/11/43

*Handwritten signature*

[Translation of Exhibit 25]

[50/33687]

BERLIN 17 April 1943

St[ate] S[ecretary] No. 243

At once!

In following up the invitation issued by the German Red Cross to Geneva, that the International Red Cross should take part in the identification of the Russian atrocities against Polish officers, the Führer tonight has ordered an additional invitation to be dispatched to Geneva by the German Red Cross. This extra invitation is to be signed by the Duke of Coburg, so that the weight of his international name should be used.

The Führer's instructions were made on his own initiative after the report of the activity on similar lines of the Polish ex-government had been submitted to him by the Reich Press Chief.

The information of the Führer's order was given to me tonight by the Propaganda Ministry. The Duke's telegram which was read out to me at the same time should by now have reached Geneva.

(Signed) WEIZSÄCKER.

Telephone to

Ambassador von Rintelen  
Dr Megerle

Weizsäcker 17 [April]

Copy to

Legation Counsellor Roediger  
Press Department  
Professor Six  
Political Under Secretary of State.

[50/33687]

Mr. FLOOD. I now show you a document marked for identification as exhibit No. 26 and I ask you to describe what it is and give your summary of it.

Dr. SWEET. This is dated the 17th of April 1943, and it is a memorandum by an official of the legal department, Roediger, for Ribbentrop. The International Red Cross, in reply to the German Red Cross telegram of April 15, say they can only participate in identification proceedings if all interested parties request them to do so, in accordance with the memorandum of September 12, 1939.

Mr. Flood. Exhibit No. 26 is now in evidence.  
(Exhibit 26 is as follows:)

## EXHIBIT 26

Generelhauptführer Hartmann vom Präsidium des Deutschen Roten Kreuzes teilte soeben fernmündlich mit, daß in der Frage der ermordeten polnischen Offiziere durch die Sowjetrussen soeben ein Antworttelegramm des Internationalen Komitees vom Roten Kreuz auf das Telegramm des Deutschen Roten Kreuzes vom 15. April folgenden Wortlauts eingegangen sei:

"In Bestätigung Ihrer Bursche Nr. 466.

Internationales Komitee vom Roten Kreuz ist seiner Übung gemäß gern bereit, jegliche Nachrichten, vermiste und nachträglich identifizierte Militärpersonen betreffend, an Händen Angehöriger auf raschestem Wege weiterzuleiten. Dagegen könnte Komitee Teilnahme an Identifikationsverfahren durch Vorschlag von Experten nur dann erwägen, wenn es von sämtlichen beteiligten Parteien dazu aufgefordert würde, wie dies im Sinne des Memorandums vom 12. September 1939 liegt. Max Huber. Intercomrouge."

Nach Mitteilung des Herrn Hartmann ist das Telegramm am 16. April 13.10 Uhr in Genf aufgegeben worden. Es ist nicht festzustellen, ob die Antwort des Internationalen Komitees vom Roten Kreuz vor oder nach Eingang des von Globereuter gemeldeten Erschensens der polnischen Militärregierung an das Internationale Komitee erteilt worden ist.

Hiermit

Über Herrn Staatssekretär

dem Herrn Reichsaussenminister  
vorgelegt.

Berlin, den 17. April 1945.

X 33689 ges. Handiger

[Translation of Exhibit 26]

[50/33689]

General Director Hartmann of the Presidium of the German Red Cross has just informed me by telephone that in the question of the Polish officers murdered by the Russians a telegram from the International Committee of the Red Cross in reply to the telegram of the German Red Cross of the 15 April, with the following text has been received :

"In acknowledgement of your telegraph No. 466.

The International Committee of the Red Cross is, according to its practice, willingly prepared to relay as quickly as possible any information concerning missing and subsequently identified military personnel to their relatives. However the Committee can only consider taking part in identification proceedings by recommending experts, if it is approached in this sense by all parties involved, as this is defined in the memorandum of the 12 Sept 1939.

MAX HUBER, Intercroixrouge"

According to Mr. Hartmann the telegram was despatched from Geneva on the 16 April at 1910 hrs. It cannot be determined whether the answer of the International Committee of the Red Cross was issued before or after the reception of the invitation of the Polish exile Government reported by Globereuter.

Herewith

to the Secretary of State  
for submission to Foreign Minister

Berlin the 17 April 1943

(signed) ROEDIGER.

[50/33689]

Mr. FLOOD. I now show you a document marked for identification as exhibit No. 27 and I ask you to describe what it is and to give your summary of it.

Dr. SWEET. This is dated the 19th of April 1943, from an official on Ribbentrop's personal staff, Megerle, to the German Legations in Budapest and Geneva. He wants to know if reputable people among the Poles in exile can be found who can be sent, expenses paid, to view the Katyn scene and who can be trusted not to distort their experiences so as to support another thesis at some later date, people of known anti-Bolshevist and anti-Semitic views preferred.

Mr. Flood. Exhibit No. 27 is in evidence.  
(Exhibit 27 is as follows:)

## EXHIBIT 27

Vermerk:

Unter Nr. 792 an Diplogerma  
Budapest u.

unter Nr. 107 an  
Konsulgerma Genf  
weitergeleitet.  
Berlin, 20. 4. 1943.  
Chiffrierbüro.

Telegramm  
( G - Schreiber )

Fuschl, den 19. April 1943 23,05 Uhr  
Ankunft: 19. " " 24,00 "

Nr. 491 vom 19. 4.

Cittissime !

- 1) Diplogerma Budapest
  - 2) Konsulgerma Genf
- Tél. i. Ziff. ( Geh. Ch. V. )

Diesseits wird erwogen, einigen namhaften polnischen Persönlichkeiten der dortigen Emigration die Möglichkeit zu geben, sich durch Augenschein von der Richtigkeit der deutschen Angaben über den Leichenfund im Walde von Katyn zu überzeugen. Es wird gebeten, umgehend zu berichten, ob die Voraussetzung für eine solche Aktion dort gegeben und ob geeignete Persönlichkeiten im dortigen Arbeitsbereich vorhanden sind. Dabei muß sichergestellt sein, daß diese Personen, denen freies Geleit zugesichert wird, später keinen Mißbrauch mit dem Erfahrenen treiben, insbesondere nicht gegenteilig aussagen, sowie daß sie nicht die Gelegenheit benutzen, später andere Themen anzuschnitten. Besonders eignen sich anti-bolschewistisch und antisemitisch eingestellte Personen oder solche, die durch die Bolschewisten Verwandte oder Kameraden verloren haben oder in Katyn vermuten. Für die Reise

kommen

33695

St. S. Koppler  
U. St. S. Pol  
U. St. S. R.  
Botsch. Ritter

Leiter Abt. Pers.

" " Ha. Pol.

" " Kult.

" " Presse

" " Rundfunk

" " Inf.

Chief Prot.

Org. Pol.

Arch. Expl. bel.

4/3

Rümpel

## EXHIBIT 27—Continued

- 2 -

kommen etwa vier Personen in Frage.

Zusatz zu 1). Gleiche Anfrage ergeht an Konsulat Genf.

Zusatz zu 2). Gleiche Anfrage ergeht an Gesandtschaft  
Budapest. (Dgl. zu 2) Wenn Sie es für  
zweckmäßig und erfolgversprechend halten, anheinstelle ver-  
trauliche Fühlungnahme mit Prof. Burckhardt wegen Benennung  
und Auswahl.

Megerle.

33396

## THE KATYN FOREST MASSACRE

[Translation of Exhibit 27]

[50/33695,6.]

[Telegram]

[Code]

To be treated  
as secret.

Fuschl the 19 April 1943 23,05 Hrs

Arrival the 19 April 1943 24,00 Hrs.

Note.

Relayed to Diplo germa

Budapest as No 792

to Consugerma Geneva

as No 107.

Berlin 20.4.43.

Cipher Office No 491 of 19.4. Most Urgent

1) Diplogerma Budapest

2) Consugerma Geneva

Telegram in Code (Secret Code Procedure)

It is being considered here, whether to give certain individual Polish personalities of the emigration abroad the opportunity to convince themselves with their own eyes of the correctness of the German reports of the discovery of corpses in the woods of Katyn. You are requested to report by return post whether the presuppositions for such an action are to be found in your areas and whether suitable personalities are available in the area covered by your office. At the same time you must make certain that these people to whom safe conduct is to be guaranteed, will not make wrong use later of their experiences, especially that they will not report the opposite of what they have seen and do not use the opportunity to breach other subjects afterwards. Those who most recommend themselves are persons of anti-bolshevik or anti-semitic convictions or those who suspect that they have lost relatives or comrades through the Bolsheviks or in Katyn. For this journey

[end of 50/33695]

[50/33696]

about four people are necessary.

Postscript for 1) Same query directed to Consulate at Geneva.

Postscript for 2) Same query directed to Legation Budapest

(Also for No 2) If you consider it expedient and likely to be helpful, it is left to you to make confidential contact with Professor Burckhardt concerning names and selection.

MEGERLE.

St.S. Keppler

U.St.S. Pol

U.St.S.R

Amb Ritter

Director Pers Dpt

Econ Dpt

Cult Dpt

Press

Radio

Inf

Head Protocoll

Director Pol

Working Copy

with Cult Dpt.

Mr. FLOOD. I now show you a document marked for identification as exhibit No. 28 and I ask you to describe what it is and to give your summary of it.

Dr. SWEET. Exhibit 28 is dated the 29th of April 1943, from the head of the Cultural Policy Department, Six, to the German Legation in Bern. The Reich health leader wants an invitation to be given to Professor Zanger in Zurich to join a commission of international experts to go to Katyn to examine the evidence, and particularly to give a scientific report establishing the time when the burials were made. They should be in Berlin by April 27, ready to fly to Katyn the next day. In case Zanger declines, the Bern Legation is to invite some other specialist in forensic medicine, preferably one of greatest international repute, who is, at the same time, friendly to Germany.



Mr. Flood. Exhibit No. 28 is now in evidence.  
(Exhibit 28 is as follows:)

## EXHIBIT 28

*Handwritten:* fess 1/4

**Telegramm**

Abgang aus Berlin, den 20. April	19 43	19 00	min. DSZ
Ankunft in Bern, den 20. April	19 43	10 00	min. MEZ

entziffert: Chiffre Verfahren: H-G-Schr. (Re)

**Diplomgramm Bern**

Nr. 879 vom: 20. April 1943.

**GITISSIME**

Geheim.

- 1.) Der Reichsgesundheitsführer bittet um Uebermittlung folgender Einladung an Prof. Z a n g e r in Eürich. Falls dieser verhindert ist, oder eine Absage erteilt, wird es dem dortigen Ermessen anheimgestellt, geeigneten, möglichst international bekannten deutschfreundlichen Gerichtsmediziner einzuladen.
- 2.) Die Einladung soll in folgender Form übermittelt werden: Der Reichsgesundheitsführer lädt zur Teilnahme an einer Kommission internationaler Sachverständiger zur Besichtigung von Katyn ein. Zweck der Reise ist Fertigung eines wissenschaftlichen - dokumentarischen Fundberichtes, im besonderen zur Feststellung des Zeitpunktes der Eingrabung.
- 3.) Durch die Herantragung in Form einer Einladung des Reichsgesundheitsführers soll der wissenschaftliche Charakter der Sachverständigenkommission betont und durch diese nicht-amtliche Einladung öffentliche Rückwirkung eines Refus vermieden werden.
- 4.) Der Abflug der Kommission erfolgt am 28. April mit Flugzeug ab Berlin. Eintreffen der Teilnehmer ist bis Dienstag 27. April spätestens erforderlich. Die Bestätigung der Annahme der Einladung ist noch heute, die genaue Ankunftszeit bis Freitag den 23. April erforderlich. Es wird gebeten, den Herren bei den Ausreiseformalitäten jede Unterstützung zu gewähren.

Six +

**E424377**

[Translation of Exhibit 28]

[Noted on face of original:]  
Urgent[Stamped on face of original:]  
German Embassy Bern  
Arrival Annexes—None  
20 Apr. 1943  
File No. 2016

[Telegram]

Dispatch from Berlin the 20 April 1943 19 Hrs Min German Summer Time  
Arrival in Bern the 20 April 1943 18 Hrs Min Central European Time

decoded: Code Procedure: S-G-Schr (NE)

Nr. 879

Diplogerma Berne  
of: 20 April 1943.  
Most Urgent  
Secret.

1). The Reich Leader of Health requests that the following invitation be transmitted to Professor Zanger in Zürich. In case he is prevented from accepting or gives a refusal, it will be left to your discretion to invite a suitable pro-German forensic pathologist, if possible of international reputation.

2). The invitation is to be conveyed in the following form: The Reich Leader of Health invites you to take part in a commission of international experts for the inspection of Katyn. The purpose of the journey is the preparation of a scientifically documented report of discoveries, in particular the determination of the time of burial.

3). In conveying this in the form of an invitation from the Reich Leader of Health you should emphasize the scientific character of the commission of experts, and by the unofficial character of the invitation avoid the ill-effects of a public refusal.

4). The departure of the commission will take place by plane from Berlin on the 28 April. The arrival of participants is recommended before Tuesday the 27 April at the latest. The acceptance of the invitation must be dispatched today, and the exact time of arrival by Friday the 23d April. You are asked to give the gentlemen concerned the utmost support with travel formalities.

Six\*

[5827/E424377]

Mr. FLOOD. I now show you, Witness, a document marked for identification as exhibit No. 29, and I ask you to describe what it is and give your summary of it.

Dr. SWEET. This document is dated the 26th of April 1943, from the German consulate in Geneva to the German Foreign Ministry. This transmits a telegram from the International Red Cross to the duke of Coburg, stating that the duke's telegram is still being studied. The consulate has been informed that the Red Cross committee is in a difficult position because delicate negotiations with the Russians on prisoners of war are in course and they are waiting for an answer from Molotov on this question. One of the experts on these matters in the consulate is of the opinion that the Russians will now use delaying tactics.

1376

## THE KATYN FOREST MASSACRE

Mr. Flood. Exhibit No. 29 is now in evidence.  
(Exhibit No. 29 is as follows:)

EXHIBIT 29

Telegramm

(Geh.Ch.Verf.)

Genf, den 20. April 1943, 19,20 Uhr  
Ankunft: 21. April 1943, 4,15 Uhr

Nr. 96 vom 20.4.43.

\*) Recht

Mit Bezug auf Telegramm Nr. 104<sup>\*)</sup> vom 17. April  
Internationales Rotes Kreuz bittet um Weiter-  
leitung folgenden Telegramms:  
Seiner Kbniglichen Hoheit  
dem Herzog Koburg  
Präsidenten des Deutschen Roten Kreuzes.

In Bestätigung der Depesche Eurer Kbnig-  
lichen Hoheit und unserer vorangehenden vorläufigen  
Antwort in gleicher Angelegenheit vom 17. d. M. an  
Geschäftsführer Präsident Grawits beehre ich mich,  
mitzuteilen, dass das Komitee Ihre Anregung im Hin-  
blick auf all die bekanntgegebenen und zu erwägenden  
Umstände befürderlichst prüft.

Unterschrift  
Max Huber

Bei Übergabe des vorstehenden Telegramms erklärte  
desanster Enzger, Komitee hoffe in morgiger Sitzung  
eine ~~endgültige~~ Entscheidung fällen zu können. Durch  
Erkrankung Hubers und Abreise Barckhardt sei technische  
Verzögerung eingetreten. Darüber hinaus befinde sich  
Komitee in schwieriger Lage, da es gerade in diesen Tagen  
mit Sowjetregierung in telegrafischem Austausch über Fra-  
ge der Kriegsgefangenen in Russland stehe. Komitee müsse  
befürchten, dass, wenn es deutschen und polnischen Bru-  
chen zu rasch stattgebe, Sowjetregierung Unterhandlungen  
mit Komitee ~~abbrechen~~ werde. Komitee siehe in Erwägung,  
erst Antwort auf ein an Molotow gerichtetes Telegramm in  
Kriegsgefangenenfrage abzuwarten, ehe es durch Eingehen  
auf deutschen Bruchen Sowjetregierung vor den Kopf sto-  
ss. Sachbearbeiter für Rote-Kreuz-Fragen im Konsulat

33899



## EXHIBIT 29—Continued

- 2 -

vorbrachte als seine persönliche Meinung, Sowjetregierung werde sicher auch ihrerseits Versögerungstaktik einschlagen und einer definitiven Antwort auf Anfrage Komitees in Kriegsgefangenenfrage ausweichen. Komitee, das in letzter Zeit öfter über seinen zurückgehenden Einfluss Klage geführt habe, hätte Möglichkeit, durch Eingehen auf deutschen Vorschlag sich stärker in das Geschehen einzuschalten.

Hostia

33700

[Translation of Exhibit 29]

[50/33699,700]

[Telegram]

[Secret code procedure]

Geneva the 20 April 1943 19,20 Hrs

Arrival 21 April 1943 4,15 Hrs

No 96 of 20.4.43

Your Telegram Nr 104\* of 17 April

International Red Cross has requested relay of following telegram:—

His Royal Highness  
the Duke of Coburg  
President of the German Red Cross

In acknowledgement of Your Royal Highness' Telegram and in reference to our previous provisional answer in the same matter of the 17th of this month to Managing President Grawitz, I have the honour to inform you that the Committee is examining your suggestion in the light of all the published circumstances that need consideration

(Signed) MAX HUBER

At the delivery of the above telegram, the Minister Ruegger explained that the Committee hoped to come to a final decision in its session tomorrow. The illness of Huber and the absence abroad of Burckhardt had brought about a technical delay. Beyond that the Committee found itself in a difficult position in that it is at the same time in telegraphic exchange with the Soviet Government on the question of the prisoners of war in Russia. The Committee fears that if it yields too quickly to the German and Polish requests, the Soviet Government will at once break off negotiations with the Committee. The Committee must take into consideration whether it should not first await an answer to its telegram to Molotov on the question of prisoners of war, before it gives offence to the Soviet Government by taking up the German request. The expert on Red Cross questions in the Consulate

[end of 50/33699]

[50/33700]

expresses as his personal opinion that the Soviet Government for its part will most certainly institute delaying tactics and refuse a final answer to the questions of the Committee on the subject of the prisoners of war. The Committee, which in recent times has often made complaints about its diminishing influence, would have the opportunity to assert itself more strongly in the public eye by taking up the German suggestion.

NOSTITZ

[50/33700]

Mr. FLOOD. Now I show you exhibit No. 30, a document which has been marked for identification, and I ask you to describe what it is and give your summary of it.

Dr. SWEET. This is dated the 26th of April 1943, from the German consulate in Geneva to the Foreign Ministry. The consulate thinks it unlikely that prominent Poles among the Geneva emigrants would participate on the terms proposed. A senior associate of the Entente Internationale anti-Communists, a Russian-Swiss named Crottet, could probably be secured.

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\*Legal Dpt.



Mr. Flood. Very well, exhibit No. 30 is now in evidence.  
(Exhibit No. 30 is as follows:)

## EXHIBIT 30

Telegramm  
(Geh. Oh. Verf.)

Genf, den 20. April 1943 - 19,20 Uhr  
Ankunft: 21. April 1943 - 4,15 Uhr

Nr. 95 vom 20.4.43.

\*) ohne Aktenzeichen      Auf Telegramm vom 19. Nr. 107\*)

Konsulat hält es für unwahrscheinlich, dass namhafte hiesige polnische Emigranten, wie Prinz Stanislaus Radziwill oder Graf Anton Lanckoronski, Angebot annehmen würden, vor allem, wenn sie dort Garantien abgeben müssten. Andere kommen im Amtsbe- reich nicht in Frage. Burckhardt zur Zeit auf Aus- landsreisen.

Konsulat anregt zu erwägen, ob Angebot nicht hiesiger Entente-Internationale Anticomuniste ge- macht werden sollte; einer ihrer Hauptmitarbeiter, deutsch-freundlicher Russland-Schweizer Crottet, hatte schon mehrfach Wunsch nach Berlinreise zwecks engerer Fühlungnahme mit dortiger Antikomintern ge- aussert. Über Entente und Crottet vergleiche Draht- bericht Konsulats Nr. 51\*\*\*) vom 4. März.

Konsulat bittet daher gegebenenfalls um Ermächti- gung mit genannten Polen über Mittelsmann oder mit Crottet Verbindung aufzunehmen.

Nostitz

33698

*Mr. W. J. H.*

*bei Inf.*

**Vermerkt:**  
Dr. Magerle hat  
Abdruck.

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[Translation of Exhibit 30]

[50/33698]

[Telegram]

[Secret code procedure]

Geneva the 20 April 1943 19, 20 Hrs

Arrival the 21 April 1943 4, 15 Hrs

Nr 95 of 20.4.43.

Ref Telegram of 19 Nr 107 †

The Consulate considers it unlikely that well-known Polish emigrants here, such as Prince Stanislaus Radziwill or Count Anton Lanckoronski will accept the offer especially if they are obliged to give guarantees there. Others in the area under this office do not come into question. Burckhardt at the moment on journey abroad.

The Consulate suggests consideration, whether the offer should not be made to the International Anti-Communist Entente here; One of their chief contributors, the pro-German Russian-Swiss Crottet, has many times expressed the wish to go to Berlin to develop more intimate contact with the Anticomintern. On the Entente and Crottet compare Consulate's telegram No. 51†† of the 4th March. Consulate therefore requests authorisation to contact the above named Poles and Crottet, the former through a third party.

NOSTITZ

NOTE. Dr Megerle has received copy.

[50/33698]

Mr. FLOOD. I show you now exhibit No. 31, which has been marked for identification, and I ask you to describe what it is and give your summary of it.

Dr. SWEET. This is dated the 22d of April 1943, from the German consulate in Zurich to the legation in Bern. An invitation to Zanger is not possible; he is too old and frail and lives in retirement. His successor, Professor Schwarz, is not an appropriate person because he has no international reputation and his attitude toward Germany is unknown.

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†without file no.

††with Inf Dpt.



Mr. Flood. Exhibit No. 31 is now in evidence.  
(Exhibit 31 is as follows:)

## EXHIBIT 31

Telegramm

Zürich

Abgang aus Zürich den 22. April 1943 12 Uhr 10 min.

Ankunft in Bern, den 22. April 1943 15 Uhr 00 min.

entziffert: Koppeler      Chiffre Verfahren: Gr.V.

Diplogramm Bern

Nr. \_\_\_\_\_ vom: 22.4.

C i t i e r u n g

Auf schriftlich hierher gelangtes Telegramm des Auswärtigen Amtes vom 20. April.

Einladung Professor Zangheri nicht möglich, da dieser seit 1941 emeritiert und seither infolge hohen Alters und Gebrechlichkeit jede öffentliche Betätigung ablehnt. Einladung des Nachfolgers Prof. Schwarz nicht zweckmässig, da dieser keinen international anerkannten Ruf hat und seine Einstellung zu Deutschland nicht bekannt.

Voigt

*Frank Reichenbach*  
Nr. 877 vom 22.4. bewz.  
inledigt.

E124371



[Translation of Exhibit 31]

[Telegram]

Dispatch from Zürich the 22 April 1943 12 Hrs 10 Min.

Arrival in Bern the 22 April 1943 15 Hrs 00 Min.

Deciphered : Keppler

Code Procedure : Gr. V.

Nr.-----

Diplogerma Bern  
of : 22.4.  
Most Urgent

Ref Telegram of German Foreign Office of 20 April which arrived here by post. Invitation to Professor Zangher not possible, as he retired in 1941 and since then, because of old age and weakness has refused all public activities. Invitation to professor Schwarz, his successor, not suitable, as he has no internationally recognised reputation and his attitude to Germany is unknown.

VOIGT

[Marginal comment in blue pencil:] already settled by telegram No 856 of 22.4.

[5887/E424371]

Mr. FLOOD. I now show you, Witness, a document marked for identification as "Exhibit No. 32," and I ask you to describe what it is and give your summary of it.

Dr. SWEET. This is dated the 22d of April 1943, from the consulate in Geneva to the Foreign Ministry for the duke of Coburg. This transmits a telegram from the International Red Cross saying that they are willing to line up a group of neutral experts provided that, in accordance with the memorandum of September 12, 1939, and interested parties agree on the composition of the committee and its terms of reference.

Mr. FLOOD. Exhibit No. 32 is in evidence.  
(Exhibit 32 is as follows:)

## EXHIBIT 32

Telegramm.  
(Offen.)

G e n f, den 22. April 1943 - 21,00 Uhr  
Ankunft: den 23. April 1943 - 03,10 Uhr

Nr. 100 vom 22.4.

Das internationale Komitee vom Roten Kreuz bittet um Weiterleitung des nachstehenden Telegramms an Präsidenten deutschen Roten Kreuzes.

Wortlaut: S.M.Kgl.Hoheit dem Herzog von Koburg, Präsidenten des deutschen Roten Kreuzes. Nach Prüfung der vom deutschen Roten Kreuz in den Telegrammen vom 16. und 17. April an das internationale Komitee vom Roten Kreuz gerichteten Aufforderungen möchte ich unter Bestätigung meiner vorläufigen Antworten vom 16. und 20. April 1943 für das bei dieser Gelegenheit erwiesene Vertrauen danken. Inzwischen ist auch die polnische Regierung in London mit entsprechendem Anliegen an uns herangetreten. Das internationale Komitee vom Roten Kreuz ist gerne bereit, neutrale Experten zu bestellen oder in Vorschlag zu bringen, falls entsprechend den in seinem Memorandum vom 12. September 1939 niedergelegten Grundsätzen sämtliche interessierten Parteien in gleichem Sinne an das Komitee gelangen und nachdem ein Einverständnis derselben mit dem Komitee über die Modalitäten des allfälligen Mandates erzielt wird. Das erwähnte Memorandum, welches in der Revue des Roten Kreuzes vom September 1939 veröffentlicht und an sämtliche Kriegführenden übermittelt wurde, handelt bekanntlich von den Möglichkeiten der Mitwirkung des Komitees bei

Untersuchung

33702  
Rüpf.

Verteiler Nr. 4:

Russl

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## THE KATYN FOREST MASSACRE

## EXHIBIT 32—Continued

## II.

und der polnischen  
Regierung in London

Untersuchungen. Wir stellen es dem deutschen  
Roten Kreuz anheim, ob sie das Einverständnis der  
Sowjetregierung zur Untersuchung durch von uns be-  
zeichnete neutrale Sachverständige auf dem Wege über  
die Schutzmacht bzw. durch direkte Verhandlungen  
oder durch unsere Vermittlung einzuholen wünschen.  
Für den Fall, dass die vorgenannten Voraussetzungen  
erfüllt werden, bestreben wir uns jetzt schon,  
geeignete neutrale Persönlichkeiten zu finden.

gez. Max Huber, Präsident.

Drahtbericht folgt.

N o s t i t z.

33703

[Translation of Exhibit 32]

[50/33702]

[Telegram]

[Open]

Geneva the 22 April 1943 21,00 Hrs

Arrival the 23 April 1943 03,10 Hrs

No 100 of 22.4.

The International Committee of the Red Cross requests the relay of the following telegram to the President of the German Red Cross.

Text: His Royal Highness the Duke of Coburg, President of the German Red Cross. After examination of the requests directed by the German Red Cross to the International Committee of the Red Cross in their telegrams of the 16 and 17 April, I would like to express our thanks for the confidence shown in us in this matter, and confirm our provisional answers of the 16 and 20 April 1943. In the meantime the Polish Government in London has approached us with corresponding requests. The International Committee of the Red Cross is willingly prepared to appoint or suggest neutral experts provided that, according to the condition laid down in its memorandum of 12 Sept 1939, all interested parties approach the Committee with the same wish, and following that, an agreement is reached by the Committee with the same people on the nature of the Mandate in all circumstances. The above mentioned memorandum which was published in the Review of the Red Cross in September 1939 and brought to the notice of all belligerents, dealt, as is well known, with the possibility of the Committee's co-operating in investigations.

[end of 50/33702]

[50/33703]

We leave it to the German Red Cross whether they wish to secure the consent of the Soviet Government to an investigation by neutral Experts appointed by us, either through the Protecting Power, through direct negotiations, or through our own mediation. Provided that the conditions mentioned above are fulfilled, we will endeavour to find suitable neutral personalities.

(Signed) MAX HUBER *President*

Telegraphic Report follows.

NOSTITZ

[50/33703]

Mr. FLOOD. I now show you exhibit No. 33, witness, which has been marked for identification, and I ask you to describe what it is and give your summary of it.

Dr. SWEET. This is dated the 23d of April, 1943, from the head of the legal department in the German foreign office, Albrecht, to the foreign minister's secretariat. This refers to the preceding telegram, exhibit No. 32, and is a memorandum explaining the legal basis for the answer given by the International Red Cross. In the memorandum of September 12, 1939, the International Red Cross had communicated to the belligerents the principles which would govern it in any investigation of violations of international law. The Red Cross would never initiate such an inquiry unless it had a mandate to do so conferred upon it by both parties in the conflict. In these circumstances the head of the legal department suggests that the German Red Cross should ask the International Red Cross to secure Soviet agreement to a committee. If the Soviets refuse, as they presumably will, appearances will not be in their favor and this situation can be publicly exploited.

Mr. Flood. Exhibit No. 33 is now in evidence.  
(Exhibit No. 33 is as follows:)

## EXHIBIT 33

Abchrift für St. 4.  
Berlin, den

zu H. 10 694

fern schreiben!

(H-Schreiber)

n  
Sero. 1947

Russchl.

Im dem Bericht des Konsulats in Genf Nr. 110 vom 22. April 1947 ist folgendes zu bemerken:

In dem Memorandum vom 17. Dezember 1939 hat das Internationale Komitee vom Roten Kreuz den Kriegsführenden die Grundsätze für seine etwaige Tätigkeit bei der Untersuchung von Verletzungen des Völkerrechts mitgeteilt. Es hat zunächst bemerkt, daß eine derartige Tätigkeit nur in soweit erfolgen könne, als die die positive humanitäre Wirksamkeit des Komitees weder hemmen noch erschweren und ist in diesem Zusammenhang darauf hingewiesen, daß das Komitee während des Krieges 1914/1 keine Untersuchungen über behauptete Rechtsverletzungen durchgeführt habe. Soweit das Komitee hiernach überhaupt in der Lage sei, eine Tätigkeit bei der Untersuchung behaupteter Völkerrechtsverletzungen auszuüben, geschehe dies niemals auf eigene Initiative sondern nur dann, wenn dem Komitee ein Mandat für diese Tätigkeit entweder im voraus durch ein internationales Abkommen oder nur durch eine Vereinbarung ad hoc der beiden streitenden Parteien übertragen werde. In diesem Falle müsse das Untersuchungsverfahren alle Gewähr für Unparteilichkeit sowie die Möglichkeit bieten, daß die beiden Parteien ihre Verteidigungsmittel geltend machen könnten.

Die Sowjetunion ist zwar dem Kriegsgefangenen-Abkommen von 1929 nicht beigetreten, hat aber im Jahre 1934 ihren Beitritt zur Genfer Konvention (Abkommen zur Verbesserung des Loses der Verwundeten und Kranken der Heere im Felde) vom 27. 7. 1929 erklärt. Im Jahre 1934 ist das Sowjetrussische Rote Kreuz Mitglied der Internationalen Liga der Rot-Kreuz-Gesellschaften

33704

*Russchl.*

## EXHIBIT 33—Continued

- 2 -

schaften geworden und entrichtet gewisse Zuschüsse an das Internationale Komitee.

Das Internationale Komitee zieht in seiner jetzigen Antwort an das Deutsche Rote Kreuz aus dieser Sachlage die formale Folgerung, daß es auch im vorliegenden Fall eine Untersuchung nur veranlassen könne, wenn auch die Sowjet-Regierung ihr Einverständnis erkläre.

Es kommt selbstverständlich nicht in Frage, daß von deutscher Seite an die Sowjet-Regierung wegen der Artierung eines derartigen Einverständnisses herangetreten wird, jedoch könnte erwogen werden, durch das Deutsche Rote Kreuz dem Internationalen Komitee nahezulegen, von sich aus das von ihm für erforderlich gehaltene Einverständnis zu beschaffen. Hierdurch könnte eine Grundlage dafür geschaffen werden, bei der zu erwartenden russischen Ablehnung das schlechte Gewissen der Sowjets in der Öffentlichkeit anzuprangern.

Es wird um Genehmigung zur Weiterleitung des Wortlauts der Mitteilung des Internationalen Komitees an das Deutsche Rote Kreuz und an das Reichsministerium für Volksaufklärung und Propaganda gebeten.

Albrecht

33705

[Translation of Exhibit 88]

[50/33704]

zu R 10 094

Copy for the State Secretary  
Berlin

sent : 23 April 1943

*To be Telegraphed !*To Office of Foreign Minister  
*Fuschl.*

No. 1149

The following comments can be made on the telegram of the Consulate at Geneva, No. 100 of 22nd April 1943.

In the Memo of 12th Sept, 1939, the International Committee of the Red Cross communicated to Belligerents the principles for its eventual activity in investigation of infringements of international law. It has now remarked that such activity can only follow insofar as it neither limits nor renders difficult the positive humanitarian activity of the Committee, and in this connexion has referred to the fact that during the War of 1914-18 the Committee made no investigations of alleged breaches of law. So far as the Committee is in the position to engage in any activity on the investigation of breaches of International Law, this can never take place on its own initiative but only if the Committee is granted a Mandate for such activity either in advance through an international agreement or through an ad hoc agreement of both conflicting parties. In this case the investigation process must present every guarantee of impartiality, as well as the opportunity for both parties to make good their causes for defence.

The Soviet Union, it is true, did not participate in the Prisoner of War agreement of 1929, but in 1934 *announced its adhesion to the Geneva Convention of 27/7/29.* (Agreement for improvement of lot of wounded and sick of armies in the field.) In 1934 the Soviet Red Cross became a member of the International League of Red Cross Fellowships

[end of 50/33704]

[50/33705]

and paid the usual subsidies to the International Committee.

With the facts as they are the International Committee draws in its present answer to the German Red Cross the formal conclusion that, in the present case also, it can only undertake an investigation, if the Soviet Government declares its consent.

Obviously it is out of the question that an approach from the German side should be made to the Soviet Government on the granting of such consent; it might be considered, however, whether the German Red Cross should suggest to the International Committee that it obtain on its own initiative the consent that it holds to be essential. In this way a foundation could be provided through the Russian refusal that could be expected in which the bad conscience of the Soviets could be pilloried in public.

Permission is requested to forward the text of the communication of the International Red Cross to the German Red Cross and the Reich Ministry for information and propaganda.

(Signed) ALBRECHT.

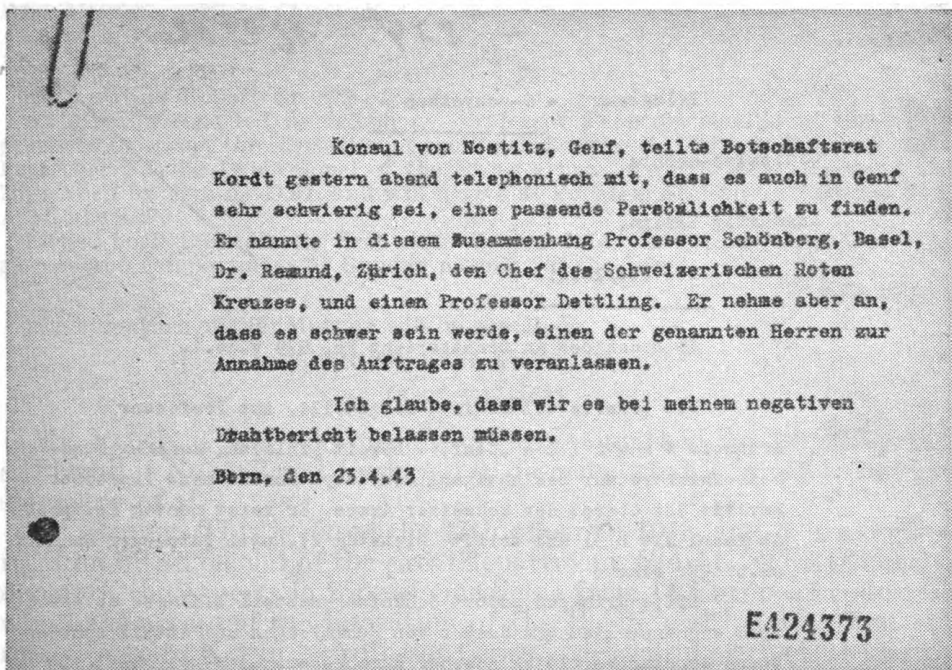
[50/33705]

Mr. FLOOD. I show you now, witness, a document marked for identification as "Exhibit No. 34" and I ask you to describe what it is and give your summary of it.

Dr. SWEET. This is dated the 23d of April, 1943, from the consulate in Geneva to the Legation in Bern. This records a telephone call from Geneva to Kordt in Bern, in which Geneva told Kordt that it would be difficult to find an appropriate expert in Geneva, and named as possibilities Professor Remund of Zurich, Professor Schoenburg of Basel, and Professor Dettling.

Mr. FLOOD. Exhibit No. 34 is in evidence.  
(Exhibit No. 34 is as follows:)

## EXHIBIT 34



[Translation of Exhibit 34]

Consul von Nostitz of Geneva, informed Legation Counsellor Kordt by telephone yesterday evening, that it is also very difficult to find a suitable person in Geneva. In this connection, he named Professor Schönberg of Basle, Dr. Remund of Zürich, the Chief of the Swiss Red Cross, and a Professor Dettling. He thought however, that it will be difficult to induce one of the aforesaid gentlemen to accept the commission.

I think we shall have to leave the position as it was with my last telegram in the negative.

(not signed)

BERN. the 23.4.43.

[5827/E424373]

Mr. FLOOD. I now show you a document marked for identification as "Exhibit No. 35" and I ask you to describe what it is and give your summary of it.

Dr. SWEET. This is dated the 24th of April 1943, from the minister in Bern to the foreign ministry. As already communicated by telephone, Professor Naville, of Geneva, a colonel in the Swiss Army, is ready to accept an invitation of the Reich health leader to visit Katyn.



1390

THE KATYN FOREST MASSACRE

Mr. Flood. Exhibit No. 35 is now in evidence.  
(Exhibit 35 is as follows:)

EXHIBIT 35

- 234 - 16<sup>30</sup> AL.

Telegram - C-schreiben -

Ultissime-nachts

Auswärtig Berlin.

No. 870/24.4.

Im Anschluss an Drahtbericht Nr. 879 v. 20.4.

Wie bereits telefonisch mitgeteilt, ist Professor  
Francois N a v i l l e , Genf, - bereit Einladung Reichsgesund-  
heitsführers zur Besichtigung von Katyn anzunehmen. Professor  
Baville ist Oberst der Schweizer Armee. Er reist Montag 26. April  
ab Basel mit D 91 und trifft Dienstag 27. April Potsdamer Bahnhof  
08.57 Uhr ein.

Bitte dringend sofort Schlafwagenabteil 1. Klasse ab Basel  
dort sicherstellen und Nummer von Schlafwagen und Abteil späte-  
stens Sonntag vormittag hierher durchgeben.

Koecher.

Paraphe des Herrn Gesandten wird  
nachgeholt.

10.05 NR 234 ERH AUSW EIN EG +

E424368

[Translation of Exhibit 85]

[Telegram].

[Secret script]

Most Urgent      Night Dispatch.  
Auswärtig Berlin.  
No. 870/24.4.

My Telegram Report Nr. 879 of 20.4.

As already reported by telephone, Professor François Naville of Geneva is prepared to accept the invitation of the Reich Leader of Health to inspect Katyn. Professor Naville is a colonel of the Swiss army. He will leave Basle on the 26th April by (train) D.91. and will arrive at Potsdam Station on Tuesday 27th April at 08.57.

Please book immediately first class sleeper from Basle and send number of sleeper and compartment by Sunday morning at the latest.

KOECHER.

The signature of the iMnister will be supplied.

19.35 NR 234 ERH AUSW Bln FG+

[5827/E424368]

Mr. FLOOD. I now show you a document marked for identification as "Exhibit No. 36" and I ask you to describe what it is and give your summary of it.

Dr. SWEET. This is dated the 27th of April 1943, and it is a memorandum by an official of the press department, Starke. This gives the names of the experts in forensic medicine from 14 European countries who have accepted the invitation of the Reich health leader and are ready to go to Katyn. Professor Orsos is described as the best known and as having taken over the leadership of the group, but he has made it known that he is a pronounced enemy of publicity. Professor Piga was the personal physician of the last King of Spain. His experiences in connection with opening Bolshevist terror graves during the civil war will be especially valuable to the committee. Naville, and especially Markoff, make a more reserved impression.

Mr. Flood. Exhibit No. 36 is now in evidence.  
(Exhibit 36 is as follows:)

## EXHIBIT 36

Ref. P V  
GR Starke

Berlin, den 27. April 1943

Auf Einladung des Reichsgesundheitsführers sind durch Vermittlung des Auswärtigen Amtes 14 angesehene Gerichts-Mediziner aus ebensovielen europäischen Ländern in Berlin eingetroffen, die sich morgen an das Gräberfeld von Katyn bei Smolensk begeben, um dort in Zusammenarbeit mit dem Deutschen Prof. Dr. Butz, Breslau, an Ort und Stelle sachverständige Erhebungen bezüglich der Leichenfunde der polnischen Offiziere anzustellen. Vor allem sollen sie feststellend, dass die Leichen bereits seit dem Frühjahr 1940 in Katyn begraben sind. An diesen Erhebungen nehmen folgende Gerichts-Mediziner teil:

Italien: Prof. Palmieri  
Frankreich: Prof. Costedoit  
Spanien: Prof. Figa  
Schweiz: Prof. Saville (Genf)  
Bulgarien: Prof. Markoff  
Rumänien: Prof. Dr. Birkle  
Ungarn: Prof. Orsco  
Finnland: Prof. Saxon  
Kroatien: Prof. Miloslavica  
Belgien: Prof. Spelleers (Gent)  
Holland: Prof. Burlet  
Slowakei: Prof. Subis  
Protectorat Prof. Haysk

Dänemark: Dr. Tramsen, Erster Assistent des Kopenhagener Professors Sand, des Vorsitzenden der Internationalen Gerichts-Medizin-Liga, der aus Gesundheitsrückgründen sich nicht persönlich nach Smolensk begeben kann, aber versprochen hat, das Votum seines Assistenten zu seinem eigenen zu machen.

Neben dem vorerwähnten Professor Sand (Dänemark) sind die bekanntesten Autoritäten, die direkt in der Delegation vertreten sind, Prof. Orsco (Ungarn), der die Führung der Gruppe zu übernehmen scheint, sich aber heute leider als ausgesprochener Feind der Presse bekannt hat und der 72-jährige spanische Prof. Figa, Leibarzt des letzten Königs und Korrespondierendes Mitglied

Mitglied  
352028

## EXHIBIT 36—Continued

- 2 -

Mitglied des Südamerikanischen Ärztevereins, ein sehr temperamentvoller alter Herr, eingeschworener Anti-Bolschewist, der Dank seiner Erfahrungen bei der Öffnung von bolschewistischen Terrorergräbern in der Zeit des spanischen Bürgerkrieges besonders wertvoll für die Arbeiten der Delegation sein dürfte. Der Vertreter der Schweiz und vor allem der Vertreter Bulgariens machen einen zurückhaltenderen Eindruck.

Die vorerwähnten europäischen Gerichts-Mediziner hoffen in drei Tagen ihre Untersuchungen an Ort und Stelle mit einem ersten gemeinsamen Protokoll abschliessen zu können. Etwa zwei bis drei Wochen später wollen sie nach noch eingehenderen Untersuchungen von Leichenteilen in ihrer Heimat ein weiteres umfangreicheres medizinisches Gutachten erstatten. Mit ihrer Rückkehr nach Berlin ist am Sonnabendabend oder am Sonntag vormittag zu rechnen. Am Sonntag nachmittag und am Sonntag vormittag wollen sie mit ihren Berliner Missionen in Verbindung treten. Für den Montagabend sind Vorträge der Professoren bei den entsprechenden zwischenstaatlichen Verbänden und nationalen Arbeiterdelegationen ihrer Länder vorgesehen.

Als Begleiter bei den Exkursionen nach Katyn sind von deutscher Seite bestellt:

Herr Dittmer, Kult. Pol. für das Auswärtige Amt

Herr Dr. Stein und Herr Ziets als Vertreter des Reichsgesundheitsführers

Herr Dr. Bähr für das Propagandaministerium

Während der Fahrt beabsichtigen Herr Dittmer und Herr Dr. Bähr festzustellen, in welchem Umfange und in welcher Weise die Professoren in ihrer Gesamtheit oder gesondert für die Propaganda in Rundfunk und Presse einzusetzen sind.

Hiermit

Herrn Gesandten Dr. Schmidt

vorgelegt.

Durchdruck

Herrn Gesandten Braun von Stumm

Herrn Gesandten von Tappelekirch - Pol V -

352029

[Translation of Exhibit 36]

[1327/352028]

BERLIN 27 April 1943

Office. P V

Counsellor Dr Starke

On the invitation of the Reich Leader of Health and through the good offices of the German Foreign Office, fourteen well known forensic pathologists from the corresponding number of European countries have arrived in Berlin; tomorrow they will travel to the Katyn graves near Smolensk, where they will work in co-operation with the German Professor Dr Butz of Breslau, in order to make on-the-spot scientific enquiries into the exhumation of the Polish officers. Primarily they are to determine whether the corpses have been buried in Katyn since Spring 1940. The following forensic pathologists are taking part in these enquiries.

Italy: Professor Palmieri

France: Professor Costedoit

Spain: Professor Piga

Switzerland: Professor Naville (Geneva)

Bulgaria: Professor Markoff

Rumania: Professor Dr Birkle (of German origin but completely Roumanian in personality)

Hungary: Professor Orsos

Finland: Professor Saxen

Croatia: Professor Miloslawicz

Belgium: Professor Speleers (Ghent)

Holland: Professor Burlet

Slovakia: Professor Subić

The Protectorate: Professor Hayek

Denmark: Dr Tramsen, First Assistant to Professor Sand of Copenhagen, the chairman of the International League of forensic pathologists, who on grounds of health is unable to go to Smolensk in person but promises to make his assistant's vote his own.

Besides the above mentioned Professor Sand of Denmark the most well-known authorities represented on the Delegation are Professor Orsos of Hungary who seems to be taking on the leadership of the group, but who has unfortunately made himself known today as an enemy of the press, and the 72-year old Spanish Professor Piga, physician in ordinary to the last king and corresponding member

[end of 1327/352028]

[1327/352029]

of the South American Medical Union, a very temperamental old man, a sworn anti-bolshevist, who, thanks to his experiences at the opening of the bolshevist terror graves at the time of the Spanish Civil War, may be particularly valuable for the work of the delegation. The Swiss and particularly the Bulgarian representatives make an more reserved impression.

The European forensic pathologist mentioned above hope to finish their on-the-spot investigations in three days, with a first collective report. Approximately two or three weeks later after a more thorough examination of parts of the corpses in their home countries they will make a further extensive medical Expert Report. Their return to Berlin must be reckoned with on Saturday evening or Sunday morning. On Sunday morning and afternoon they want to get into touch with their Berlin missions. On Monday evening, lectures by the professors are anticipated before the corresponding international societies and national Labour Delegations of their countries.

[Translation of Exhibit 36—Continued]

To accompany the journey to Katyn, the following have been appointed by Germany:

Mr Dittmer, of the Cult Pol Dpt of German Foreign Office

Dr Stein and Mr. Zietz as representatives of the Reich Leader of Health

Dr Bähr representing the Ministry of Propaganda.

In the course of the journey, Mr Dittmer and Dr Bähr intend to ascertain to what extent and in which way, the professors can be engaged collectively or individually for propaganda on the radio and in the press.

Herewith submitted to

Minister Dr Schmidt.

Copies to

Minister Braun von Stumm

Minister von Tippelskirch Dpt Pol V

(Initialed) Str(arke) 27/4

[1327/352029]

Mr. FLOOD. I show you now, witness, a document marked for identification as exhibit No. 37 and I ask you to describe what it is and give your summary of it.

Dr. SWEET. This is dated April 30, 1943, and it is a photostatic copy of the protocol signed by the international committee of experts. I made no summary of this document because the committee, I believe, had it in full translation.



Mr. FLOOD. Exhibit No. 37 is now in evidence.  
(Exhibit 37 is as follows:)

## EXHIBIT 37

z.Zt.Smolenak, den 30.April 1943

Protokoll

aufgenommen anlässlich der Untersuchung von Massengräbern polnischer Offiziere im Walde von Katyn bei Smolenak, die durch eine Kommission führender Vertreter der Gerichtlichen Medizin und Kriminalistik europäischer Hochschulen und anderer namhafter medizinischer Hochschullehrer durchgeführt wurde.

In der Zeit vom 28. bis 30.4.1943 hat eine Kommission führender Vertreter der Gerichtlichen Medizin und Kriminalistik europäischer Hochschulen und anderer namhafter medizinischer Hochschullehrer die Massengräber polnischer Offiziere im Walde von Katyn bei Smolenak einer eingehenden wissenschaftlichen Untersuchung unterzogen.

Die Kommission bestand aus folgenden Herren:

1. Belgien: Dr. S p e l s e s , ord. Professor der Augenheilkunde an der Universität Gent,
2. Bulgarien: Dr. E a r k o v , ord. Dozent für gerichtliche Medizin und Kriminalistik an der Universität Sofia,
3. Dänemark: Dr. T r a m s e n , Prosektor am Institut für gerichtliche Medizin in Kopenhagen,
4. Finnland: Dr. S a x ö n , ordentlicher Professor der pathologischen Anatomie an der Universität in Helsinki,
5. Italien: Dr. P a l m i e r i , ord. Professor der gerichtlichen Medizin und Kriminalistik an der Universität Neapel,
6. Kroatien: Dr. M i l o s l a w i c h , ord. Professor der gerichtlichen Medizin und Kriminalistik an der Universität Agram,
7. Niederlande: Dr. de B u r l e t , ord. Professor der Anatomie an der Universität in Groningen,

## EXHIBIT 37—Continued

- 2 -

8. Protektorat  
Böhmen und  
Mähren: Dr. H á j e k , ord. Professor der gerichtlichen  
Medizin und Kriminalistik in Prag.
9. Rumänien: Dr. B i x k l e , Gerichtsarzt des rumänischen  
Justizministeriums und erster Assistent am In-  
stitut für gerichtliche Medizin und Kriminali-  
stik in Bukarest.
10. Schweiz: Dr. H a v i l l e , ord. Professor der gericht-  
lichen Medizin an der Universität Genf.
11. Slowakei: Dr. Š u b i k , ord. Professor der pathologi-  
schen Anatomie an der Universität in Pressburg,  
Chef des staatlichen Gesundheitswesens der  
Slowakei.
12. Ungarn: Dr. O r s ó s , ord. Professor der gericht-  
lichen Medizin und Kriminalistik an der Uni-  
versität Budapest.

Bei den Arbeiten und Beratungen der Delegation waren ferner  
anwesend:

1. der vom Oberkommando der Deutschen Wehrmacht mit der Lei-  
tung der Ausgrabungen im Katyn beauftragte ord. Professor  
der gerichtlichen Medizin und Kriminalistik an der Univer-  
sität Breslau, Dr. S u h t z ,
2. Médecin-inspecteur Dr. C o s t e d o a t , der vom Chef  
der französischen Regierung beauftragt worden war, den  
Arbeiten der Kommission beizuwohnen.

Die vor Kurzem zur Kenntnis der deutschen Behörden gekommene  
Entdeckung von Massengräbern polnischer Offiziere im Wald von  
Katyn bei Smolensk hat den Reichsgesundheitsführer Dr. Conti  
dazu veranlaßt, die oben genannten Fachgelehrten aus verschie-  
denen europäischen Ländern zur Besichtigung der Fundstelle von  
Katyn einzuladen, um zur Klärung dieses einzigartigen Falles bei-  
zutragen.

Die Kommission vernahm persönlich einige russische einheimische  
Zeugen, die u.a. bestätigten, daß in den Monaten März und April  
1940 fast täglich größere Eisenbahntransporte mit polnischen  
Offizieren auf dem nahe bei Katyn gelegenen Bahnhof Gnesdowo

- 3 -

E424342



## EXHIBIT 37—Continued

- 3 -

ausgeladen, in Gefangenenautos nach dem Wald von Katyn transportiert, später nie wieder gesehen wurden; sie nahen ferner Kenntnis von den bisherigen Befunden und Feststellungen und besichtigte die aufgefundenen Beweismittel. Hiernach sind bis zum 30. 4. 1943 982 Leichen ausgegraben worden. Davon wurden etwa 70 % sofort identifiziert, während die Papiere der Übrigen erst nach sorgfältiger Vorbehandlung zur Identifizierung verwertet werden können. Die vor dem Eintreffen der Kommission ausgegrabenen Leichen sind sämtlich besichtigt, in größerer Zahl auch obduziert worden, und zwar durch Professor Buhtz und seine Mitarbeiter. Bis zum heutigen Tage wurden 7 Massengräber eröffnet, deren größtes schätzungsgemäß 2500 Offiziersleichen enthält.

Von den Mitgliedern der Kommission wurden persönlich 9 Leichen obduziert und zahlreiche besonders ausgewählte Fälle einer Leichen-schau unterzogen.

Gerichtlich-medizinische Ergebnisse der durchgeführten Besichtigungen und Untersuchungen.

Als Todesursache der sämtlich bisher ausgegrabenen Leichen wurde ausnahmslos Kopfschuß festgestellt. Es handelt sich durchweg um Genickschüsse, und zwar überwiegend um einfache Genickschüsse, in seltenen Fällen um doppelte Genickschüsse, in einem einzigen Fall um einen dreifachen Genickschuß. Der Einschuß sitzt durchweg tief im Genick und führt in den Knochen des Hinterhauptbeins nahe am Hinterhauptslöcher hinein, während der Ausschuß in der Regel in der Gegend der Stirn-Haargrenze, in ganz seltenen Fällen tiefer liegt. Es handelt sich durchweg um Pistolenschüsse von einem Kaliber von unter 8 mm.

Aus der Sprengung des Schädels und dem Befund von Pulverschmuck am Hinterhauptsknochen in der Nähe des Einschnittes sowie aus der gleichartigen Lokalisierung der Einschnitte, ist auf Schuß mit aufgesetzter Mündung oder aus unmittelbarer Nähe zu schließen, zumal auch die Richtung des Schußkanals mit wenigen geringen Abweichungen durchweg gleichartig ist. Die auffallende Gleichartigkeit der Verletzungen und der Lokalisation der Einschnitte

- 4 -

E424343



## EXHIBIT 37—Continued

- 4 -

in einem ganz beschränkten Bereich der Lattenhautige, und lassen auf eine geübte Hand schließen. Bei zahlreichen Leichen konnten gleichartige Fesslungen der Hände und in einigen Fällen auch 4-strahlige Bajonettstiche an Kleidung und Haut festgestellt werden. Die Ausführung der Fesselung entspricht der an Leichen russischer Zivilisten festgestellten Fesslungen, die ebenfalls im Walde von Katyn ausgegraben und schon viel früher begraben wurden. Es wurde ferner festgestellt, daß auch die Genickschüsse bei den Leichen von Zivilrussen ähnlich zielsicher abgegeben wurden.

Aus der Feststellung eines Querschlägers im Kopfe eines durch Genickschuß getöteten polnischen Offiziers, der nur die linke Knochentafel eingedrückt hatte, ist zu schließen, daß durch dieses Geschöß erst ein anderer Offizier getötet worden ist, und daß es nach Austritt aus dessen Körper in die Leiche eines bereits erschossen in der Grube Liegenden eingedrungen ist. Diese Tatsache läßt vermuten, daß Erschießungen offenbar auch in den Gruben stattfanden, um einen Transport zur Grabstätte zu vermeiden.

Die Massengräber befinden sich in Waldlichtungen. Sie sind vollkommen geodnet und mit jungen Kiefernblümchen bepflanzt. Nach dem eigenen Augenschein der Kommissionsmitglieder und der Aussage des als Sachverständigen zugezogenen Forstmeisters von H e r f f handelt es sich um wenigstens 5-jährige, im Schatten großer Bäume schlecht entwickelte Kiefernplanzen, die vor 3 Jahren an diese Stelle gepflanzt wurden.

Die Massengräber sind stufenförmig in das hügelige Gelände, das aus reinem Sand besteht, vorgetrieben. Sie reichen zum Teil bis ins Grundwasser.

Die Leichen liegen fast ausschließlich in Bauchlage dicht neben- und übereinander, an den Seiten deutlich geschichtet, in der Mitte mehr unregelmäßig. Die Beine sind fast immer gestreckt. Es handelt sich offensichtlich um eine systematische Lagerung. Die Uniformen der ausgegrabenen Leichen haben nach übereinstimmender Wahrnehmung der Kommission sämtlich im Ganzen und Einzelnen, insbesondere in Bezug auf Knöpfe, Dienstgradzeichen, Abzeichen, Stiefelformen, Maschestempel usw. die eindeutigen Kennzeichen polnischer Uniformen. Es handelt sich

- 5 -

E124344

## EXHIBIT 37—Continued

- 3 -

an Winterbekleidung; Muff, finden sich Pelze, Lederjacken, Strickwesten, Offiziersstiefel, typische polnische Offiziershüte. Bei ganz wenigen Leichen handelt es sich nicht um Offiziere, in einem Fall um einen Geistlichen. Die Farbe der Kleidung entspricht den Farben der einzelnen Körper. Die Unterbekleidung ist ordnungsmäßig zugeknöpft, Hosenträger, Gürtel ordnungsgemäß angebracht. Daraus ergibt sich, daß die Leichen in den von ihnen bis zum Tode getragenen Uniformen verachtet wurden.

E124315

Bei den Leichen befinden sich keine Uhren und Ringe, obwohl Uhren nach den mit genauen Zeitangaben versehenen Aufzeichnungen verschiedener Tagebücher bis in die letzten Tage und Stunden vorhanden gewesen sein müssen. Edelmetallgegenstände wurden nur in verstreuter Lage bei ganz wenigen Leichen entdeckt. dagegen fanden sich bei vielen Leichen Loos Goldkette im Gebiß. Polnische Banknoten wurden in größeren Mengen vorgefunden, in nicht seltenen Fällen auch Wechselgeld. Ferner fanden sich polnische Zigaretten- und Streichholzschachteln bei den Toten, in einigen Fällen auch Tabaklosen und Zigarettenspitzen mit der Gravierung „Kocielski“ (Name des letzten sowjetischen Gefangenenlagers der ersten Ermordeten). Wie bei den Leichen vorgefundenen Dokumenten (Tagebücher, Briefschaften, Zeitungen) stammen aus der Zeit von Herbst 1939 bis März und April 1940. Das letzte bisher festgestellte Datum ist das einer russischen Zeitung vom 22.4.1940.

Es finden sich verschiedene Grade und Formen der Verwesung, die durch die Lagerung der Leichen innerhalb der Grube und zueinander bedingt sind. Neben Mumifizierung an der Oberfläche und an den Rändern der Leichenmasse findet sich feuchte Käsation in der mittleren Teil der Leichenmasse. Die Verklebung und Verletzung der benachbarten Leichen durch eingedickte Leichensaft insbesondere die durch die Freezung bedingten korrespondierenden Deformationen weisen entschieden auf primäre Lagerung hin.

Es fehlen gänzlich an den Leichen Insekten und Insektenreste, die zu der Zeit der Einsparung stammen könnten. Hieraus ergibt sich, daß die Einschließungen und die Einsparungen in einer kalten, insektenfreien Jahreszeit geschehen sein müssen.

Eine größere Reihe von Schädeln wurden auf eine Veränderung untersucht, die nach Erfahrungen von Professor Orszag nur Bestimmung der Zeit des Todes von großer Wichtigkeit ist. Es handelt sich hierbei um eine kalkuffartige mehrschichtige Inkrustation an der Oberfläche des schon lehmartig homogenisierten Gehirns.

- 4 -



## EXHIBIT 37—Continued

- 6 -

breies. Solche Erscheinungen sind bei Leichen, die weniger als 3 Jahre im Grabe gelegen haben, nicht zu beobachten. Ein derartiger Zustand fand sich u.a. in einer sehr ausgeprägten Form im Schädel der Leiche Nr. 526, die an der Oberfläche eines großen Massengrabes geborgen wurde.

Zusammenfassendes Gutachten

Im Walde von Katyn wurden von der Kommission Massengräber von polnischen Offizieren untersucht, von denen bisher 7 geöffnet sind. Aus diesen wurden bisher 982 Leichen geborgen, untersucht, zum Teil obduziert und zu 70 % identifiziert.

Die Leichen wiesen als Todesursache ausschließlich Genickschüsse aus. Aus den Zeugenaussagen, den bei den Leichen aufgefundenen Briefschaften, Tagebüchern, Zeichnungen usw. ergibt sich, daß die Erschießungen in den Monaten März und April 1940 stattgefunden haben. Hiermit stehen in völliger Übereinstimmung die im Protokoll geschilderten Befunde an den Massengräbern und den einzelnen Leichen der polnischen Offiziere.

*Dr. Spelsberg*  
(Dr. Spelsberg)

*Dr. Markov*  
(Dr. Markov)

*Dr. Trautman*  
(Dr. Trautman)

*Dr. Sestak*  
(Dr. Sestak)

*V. M. Palmieri*  
(Dr. Palmieri)

*Dr. Vilosavich*  
(Dr. Vilosavich)

*Dr. Co Burlet*  
(Dr. Co Burlet)

*V. M. Palmieri*  
(Dr. Majer)

*Dr. Birkle*  
(Dr. Birkle)

*Dr. Neville*  
(Dr. Neville)

*Dr. Subik*  
(Dr. Subik)

*Dr. Orsels*  
(Dr. Orsels)

E424546



[Translation of Exhibit 37]

## PROTOCOL OF THE INTERNATIONAL MEDICAL COMMISSION

SMOLENSK, 30 April 1943

## PROTOCOL,

drawn up on the occasion of the examination of the mass graves of Polish officers in the Katyn wood near Smolensk, which was carried out by a commission composed of leading exponents of Medical Jurisprudence and Criminology at European universities and of other renowned medical professors.

In the period from 28 to 30 April 1943, a commission composed of leading exponents of Medical Jurisprudence and Criminology from European universities and of other renowned medical professors subjected the mass graves of Polish officers in the Katyn wood near Smolensk to a thorough scientific examination.

The Commission consisted of the following men:

1. Belgium: Dr. Speleers, Professor in Ordinary of Ophthalmology at the University of Ghent
2. Bulgaria: Dr. Markov, lecturer in Medical Jurisprudence and Criminology at the University of Sofia
3. Denmark: Dr. Tramsen, Prosecutor at the Institute of Medical Jurisprudence in Copenhagen
4. Finland: Dr. Saxén, Professor in Ordinary of Pathological Anatomy at the University of Helsinki
5. Italy: Dr. Palmieri, Professor in Ordinary of Medical Jurisprudence and Criminology at the University of Naples
6. Croatia: Dr. Miloslavich, Professor in Ordinary of Medical Jurisprudence and Criminology at the University of Agram
7. Netherlands: Dr. de Burlet, Professor in Ordinary of Anatomy at the University of Groningen.
8. Protectorate of Bohemia and Moravia: Dr. Hajek, Professor in Ordinary of Medical Jurisprudence and Criminology at Prague
9. Roumania: Dr. Birkle, Medico-legal Adviser to the Roumanian Ministry of Justice and First Assistant at the Institute of Medical Jurisprudence and Criminology in Bucharest
10. Switzerland: Dr. Naville, Professor in Ordinary of Medical Jurisprudence at the University of Geneva
11. Slovakia: Dr. Subik, Professor in Ordinary of Pathological Anatomy at the University of Bratislava, Head of the Public Health Department of Slovakia
12. Hungary: Dr. Orsos, Professor in Ordinary of Medical Jurisprudence and Criminology at the University of Budapest.

During the work and consultations of the Delegation there were further present the following:

1. Dr. Buhtz, Professor in Ordinary of Medical Jurisprudence and Criminology at the University of Breslau, delegated by the Supreme Command of the German Army to direct the exhumations at Katyn,
2. Dr. Costedoat, Medical Inspector, delegated by the Head of the French Government to attend the work of the Commission.

The discovery of mass graves of Polish officers in the Katyn wood near Smolensk, recently come to the notice of the German authorities, has caused Dr. Conti, Reich Health Leader, to invite the above-named experts from different European countries to inspect the place of discovery in Katyn, in order to assist in the clarification of this unique case.

The Commission personally examined some Russian witnesses, inhabitants of the Katyn district, who stated i. e., that in the months of March and April 1940 large rail transports of Polish officers were detained almost daily at the station at Gnesdowa near Katyn, transported to the Katyn wood in prisoners' trucks, and were later never seen again; the Commission further took note of the findings and discoveries made so far and inspected the evidence which had been found. According to these, by 30 April 1943 982 corpses were disinterred. Of these, about 70 per cent were immediately identified, while the papers of the others can be used for identification purposes only after careful preliminary treatment. The corpses disinterred before the arrival of the Commission were-

## [Translation of Exhibit 37—Continued]

all inspected and to a great extent also dissected by Professor Buhtz and his collaborators. Up to the present, seven mass graves have been opened, the biggest of which contains as far as can be judged 2500 officers' corpses.

Nine corpses were dissected by the members of the Commission personally, and numerous specially selected cases were subjected to an autopsy.

## MEDICO-LEGAL RESULTS OF THE INSPECTIONS AND EXAMINATIONS CARRIED OUT

In all the corpses so far disinterred, the cause of death has been without exception established as due to shots in the head. It is a question throughout of shots in the nape of the neck and indeed predominantly of single shots in the nape of the neck, in a few cases of two shots in the nape of the neck, and in one single case of a three shots in the nape of the neck. The entry-hole of the bullet is without exception situated low at the nape of the neck and goes into the bone-structure of the occipital bone near the foramen magnum, while the place of exit of the bullet lies, as a rule, in the region of the frontal hair-line and only in very rare cases, lower down. Without exception the shots are from pistols of a calibre of less than eight millimeters.

From the blasting of the skull and the findings of powdermarks at the occipital bone near the place of entry of the bullet and also from the similarity in the position of the entry shot, it can be concluded that the shot was fired at point-blank or at very close range especially as the direction of the bullet track is, with very few deviations always the same. The remarkable similarity of the injuries and the position of the entry-shot within a very restricted area in the occipital region, indicate a practised hand. In numerous corpses the tying of the hands in identical fashion and in a few cases also four-edged bayonet-wounds in clothing and skin could be established. The method of tying corresponds with that discovered on the corpses of Russian civilians who were also disinterred in the Katyn wood and had been buried much earlier. \* \* \*

\* \* \* There are different stages and types of decomposition, conditioned by the arrangement of the corpses inside the pit and with relation to each other. There is mumification at the surface and the edges of the mass of corpses and, in the middle of this mass, liquid decomposition. The coagulation and congealing together of neighbouring corpses by congealed liquid from the corpses, particularly the malformations corresponding to and conditioned by reciprocal pressure, indicate beyond doubt contemporaneous burial.

\* \* \* \* \*

## SUMMARIZED CONCLUSIONS

In the Katyn wood, mass graves of Polish officers were examined by the Commission, seven of which have so far been opened. From these, 982 corpses have so far been recovered, examined, partly dissected, and 70 percent identified.

The corpses show exclusively that death was due to shots in the nape of the neck. From the statements of witnesses, letters, diaries, newspapers etc. found on the corpses, it is concluded that the shootings took place in the months of March and April 1940. The findings at the mass graves and in individual corpses of the Polish officers, as described in the Protocol, are in complete accordance with this.

(sgd.) DR. SPELEERS	DR. HAJEK
DR. SAXÉN	DR. SUBIK
DR. DE BURLET	DR. TRAMSEN
DR. NAVILLE	DR. MILOSLAVICH
DR. MARKOV	DR. BIRKLE
DR. PALMIERI	DR. ORSOS

Mr. FLOOD. I show you a document marked for identification as exhibit No. 38 and I ask you to describe what it is and give your summary of it.

Dr. SWEET. This is dated April 30, 1943, from an official on the personal staff of the foreign minister, Megerle, to German missions in Stockholm, Ankara, and Bern. In order to make difficulties between the British and Russians, it is directed that word be sent around that the British inspired the Polish appeal to the Red Cross.

## THE KATYN FOREST MASSACRE

Mr. Flood. Exhibit 38 is in evidence.  
(Exhibit No. 38 is as follows:)

## EXHIBIT 38

Telegramm  
(G-Schreiber)

Sonderzug, den 1. Mai 1943- 13.55 Uhr  
Ankunft: " 1, " " - 14.20 "

Nr. 564 vom 30.4.43.

G e h e i m !

Geheime Reichssache.

1. Telko
2. Diplogerma Stockholm, Ankara, Bern
3. V-Stelle BFP.

Telegramm Geh.Ch.V. ("Geheimvermerk für geheime Reichssachen (M.B.D. 36 II)")

Nachdem es gelungen ist, den polnisch-sowjetischen Gegensatz zum offenen Ausbruch zu bringen, ist es noch wichtiger, in Anknüpfung an diese Aktion das Misstrauen zwischen England und der Sowjetunion zu verstärken. Dies könnte dadurch geschehen, dass unterstellt wird, dass die englische Regierung die Polen zu der bekannten Note an das Rote Kreuz aufgestachelt habe.

Ich bitte, als Flüsterpropaganda zu diesem Zweck folgenden Gedankengang zu verbreiten: In Kreisen der dortigen polnischen Vertretung bzw. polnischer Emigranten ist man entrüstet darüber, dass von englischer Seite die Schuld an dem Zerwürfnis Polen zugeschoben wird, das durch seine Note an das Rote Kreuz die Sowjetunion herausgefordert habe. In Wirklichkeit sei dieses Vorgehen nicht nur mit Wissen, sondern sogar auf vertrauliche Anregung durch die englische Regierung beschlossen worden. Diese habe vor allem gewusst und den Schritt gebilligt, um so enttäuschter sei man, dass man nachträglich getadelt und fallen gelassen werde.

Deutscher Ursprung dieser Flüsterpropaganda darf nicht erkennbar werden. Es ist

33738 auszutreiben

*Rüst*

Bemerk:

Tel. weitergel. an Diplogerma Stockholm unter Nr. 822,  
an Ankara unter Nr. 670  
an Bern " " 953.  
Tel. Kontr. d. l. 5.43.

H. S. Koppier  
U.S. S. Pol.  
U.S. S. R.  
Hörsch. Riller

Leiter Abt. Fern.  
" " Min. Pol.  
" " Kult.  
" " Presse  
" " Rundfunk  
" " Inf.

Chief Print.  
Ch. Pol.

Dies ist Exemplar Nr. ....



## EXHIBIT 38—Continued

- 2 -

anzustreben, dass dieser Gedankengang möglichst bald in einer dortigen, aber nicht deutschfreundlichen Zeitung oder im Rundfunk auftaucht.

Eventuelle Presse- und Rundfunkschriften bitte ich ausdrucksmelden.

Zusatz für Stockholm und Ankara:

Der Gedankengang ist möglichst rasch durch geeignete Mittelsleute an die Fass- oder Sowjetvertreter heranzubringen.

Zusatz nur für Stockholm:

Es kann ferner die Nachricht lanciert werden, dass die Schärfe der Molotownote damit zusammenhängt, dass Stalin von den englischen, u.a. auch in Adama entwickelten Plänen, die osteuropäischen Staaten zu einer Sicherheitszone zusammenzufassen, erfahren habe. Er habe mit dieser Note auch gegenüber England ein Exempel statuieren und andeuten wollen, dass er jede solche Kombination zu zerschlagen entschlossen sei.

Megerle

33739

[Translation of Exhibit 38]

[50/33738]

[Telegram]

(G. Schreiber)

Secret  
To be handled as  
secret material

Special Dispatch 1st May 1943 13 hrs. 55  
Arrival 1st May 1943 14.20 hrs.

No. 564 of 30.4.43.

*Secret!**State Secret*

1. Telko
2. Diplogerma Stockholm, Ankara, Bern.
3. V' Stelle B. F. P.

Telegram Secret Code Procedure (Secret stamp for state secrets (M. B. D. 36 II)

[Remark:]

Repeated to Diplogerma  
Stockholm under No. 822  
Ankara under No. 670  
Bern under No. 953.  
Telegram contr. 1.5.43.

After we have succeeded in bringing the Polish-Soviet hostility into open breach, it is the more important in referring to this action to strengthen the mistrust between England and the Soviet Union. This could take place by insinuating that the English Govt. incited the Poles to send their well-known note to the Red Cross.

I request you with this end to spread the following line of thought as whisper-propaganda: In circles of the local Polish representation or emigration there is irritation that the blame for the dissension should be put on the Poles, for provoking the Soviet Union by their note to the Red Cross. In actuality this action was taken not only with the knowledge but also at the secret suggestion of the English Govt. This last knew in advance and approved the step, leaving the Poles the more shocked that they should afterwards be abandoned and reproached.

The German origin of this whisper-propaganda must not be recognisable.

[end of sheet 50/33738]

[50/133739]

You should aim at getting this line of thought taken up as soon as possible in a local, but not pro-German, newspaper or on the radio.

Please report any press or radio discussion resulting from your efforts.

Postscript for Stockholm and Ankara:

This line of thought is to be brought as quickly as possible through suitable middlemen to the Tass or Soviet correspondents.

Postscript for Stockholm only:

The information can be advanced further that the acerbity of the Molotov note is to be connected with the fact that Stalin has learnt of the English plan developed among other places in Adana, to combine the east-European states into a security zone. With this note he has intended to give an example to England and to make clear that he is resolved to break up any such combination.

MEGERLE.

[50/33739]

Mr. FLOOD. I now show you a document marked for identification as exhibit No. 39 and I ask you to describe what it is and give your summary of it.







## EXHIBIT 39—Continued

## Deutsches Konsulat

Genf, den 6. Mai 1943.

K.Nr. 708

Inhalt: Beteiligung von Prof. François NAVILLE,  
Genf, an der Aeratekommission in Katyn.

3 Doppel.

Deutsche Gesandtschaft Bern	
Eingangsnummer	114
3. Mai 1943	
A. Nr. 2293	
Telegraphisch	

Das Auswärtige Amt hat hier telegrafisch angefragt, ob Prof. N a v i l l e geneigt sei, sich über seine Eindrücke in Katyn im Rundfunk zu äussern. Daraufhin hat das Konsulat nach Rücksprache mit dem Genannten dem Auswärtigen Amt telegrafisch berichtet, dass Herr Prof. Neville lediglich beabsichtige, im Kreise seiner Fachgenossen gelegentlich einen Vortrag über seine Erfahrungen in Katyn zu halten und im übrigen in der Öffentlichkeit oder im Rundfunk sich nur dann zu äussern, wenn die Tätigkeit der Kommission und die Ergebnisse der Untersuchungen in der Öffentlichkeit falsch dargestellt würden.

*Prin!*

An

die Deutsche Gesandtschaft

Bern.

*F 12*

E424334

*H. Kuntzsch 11. R.*

*Kontinuität 3*

THE KATYN FOREST MASSACRE

1409

[Translation of Exhibit 39]

[1327/352033]

[Telegram]

[Code dispatch]

Budapest the 8 Mai 1943 16,40 Hrs  
Arrival the 8 Mai 1943 17,45 Hrs

Nr 856 of 8.5.43.

Ref Multex No 415 † of 5.5.

Professor Orsos returned to Budapest with the strongest impressions of his examinations of the graves in Katyn. He related that the experience widely surpassed the hitherto existing reports. On the grounds of exact scientific proof, it was irrefutably established that the murders took place in April or May 1940. As Orsos maintains far-reaching connections here, his judgment on Katyn has become known extensively in local circles, particularly those of politics and science, and thanks to his scientific authority has made a strong impression everywhere. He intends shortly to give a lecture to an expert audience on the results of the investigations in Katyn, and to publish a paper about them in the German Criminological Journal. The suggestion that he should discuss the Katyn case in the press or on the radio is one that he will not allow, and he bases his position on the fear that he would discredit his own authority through any exploitation of the Expert Report for purposes of political propaganda and that, with this, the Expert Report would also lose in value. In Berlin he was especially thanked for succeeding in his endeavour to achieve a very serious and dignified Expert Report, able to withstand any scientific criticism. Any use of his experiences and observations for propaganda purposes would in his opinion however, diminish the value of the Expert Report. For this reason he intends, in the interests of the matter, to abstain from any such action.

WERKMEISTER.

†Ru 2410.

[1327/352033]

[Stamped on face  
of original: ]  
German Legation  
Bern  
Arrival  
8 May 43  
A Nr 2295.

GERMAN CONSULATE

K. Nr. 708

GENEVA the 6 Mai 1943

Subject: Participation of Professor François NAVILLE Geneva, in the Medical Commission at Katyn.

3 Copies

The German Foreign Office has enquired here by telegram, whether Professor Naville would agree to talk about his impression of Katyn on the radio. Thereupon the Consulate, after consultation with Professor Naville reported to the German Foreign Office by telegram that Professor Naville only intends to hold an occasional lecture in the circle of his colleagues on his experience at Katyn, and only to express his opinion in public or on the radio, if the activity of the Commission and the results of the investigations should be wrongly represented in public.

KRAUEL.

To the German Legation  
Bern.

[5827/E. 424334]

Mr. FLOOD. I now show you a document marked for identification as exhibit No. 40 and I ask you to describe what it is and give your summary of it.

Dr. SWEET. This is dated the 15th of May 1943, from the State secretary, Steengracht, to German missions abroad. This is an information telegram describing the propaganda success achieved by the Germans in the Katyn affair and the repercussions on the relations between the Allied Governments of the United States, Great Britain, Russia, and Poland.

Mr. FLOOD. Exhibit 40 is now in evidence.  
(Exhibit 40 is as follows:)

## EXHIBIT 40

Telegramm		Eingegangen 17. Mai 1943	
Nr. 2440		Telegraphisch	

Abgang aus Berlin, den 16. Mai 1943 18Uhr 40 min. D3Z  
Ankunft in Bern, den 16. Mai 1943 18Uhr 00 min. MEZ

Empfänger: Polgerman Bern Chiffre Verfahren: Sonder-G.Schr.

Nr. Multex 459 Vom: 15.5. - Sonder-G.Schr. - Geheim - 4

Zur Information und Sprachregelung. - E424331

Entdeckung Massengräber polnischer Offiziere bei Smolensk erregte in Weltöffentlichkeit und insbesondere bei polnischer Emigration aussergewöhnliches Aufsehen. Nachdem sich sowohl Deutsches Rotes Kreuz als auch polnische Emigranten-Regierung in London an Internationales Rotes Kreuz mit Bitte um Aufklärung durch Entsendung Delegation gewandt hatten, benutzte Sowjetregierung, die bereits seit längerer Zeit hauptsächlich wegen Frage polnischer Ostgrenze in sehr gespannten Beziehungen zur polnischen Emigranten-Regierung stand, Gelegenheit, eigener Auffassung von Zugehörigkeit Ostpolens zur Sowjetunion Geltung zu verschaffen, und sich unbequemer Sikorski-Regierung zu entledigen, indem sie am 25.4.1943 diplomatische Beziehungen zur polnischen Emigranten-Regierung abbrach. Durchschlagenden deutschen Propagandaaufschlag hatten Sowjets nichts anderes als Märchen von "archäologischen Gräberfunden" und durch antliche Protokolle, ausländische Journalisten und neutrale Gerichtsmediziner widerlegte Lüge entgegenzusetzen, dass polnische Offiziere von Deutschen ermordet worden seien. In Erkenntnis unerwünschter Konsequenzen, die Abbruch Beziehungen zwischen Sowjetunion und polnischen Emigrantenregierung nicht nur auf polnisch-sowjetisches, sondern auch auf eigenes Verhältnis zur Sowjetunion haben musste sowie wegen ungünstiger Wirkung auf andere kleinere Staaten in Anbetracht Atlantik-Charta setzten britische und nordamerikanische Regierung sofort mit lebhaften Bemühungen zur Beilegung Konfliktes ein. Als Ergebnis abgab polnische Emigrantenregierung Erklärung, die in Form gemässigt, dem Inhalt nach jedoch intransigent war. Sie umging Frage Be-

## EXHIBIT 40—Continued

- 2 -

zu Maltex 459 vom 19.5.43

Befassung Internationalen Roten Kreuzes, unterstrich aber Integrität und völlige Souveränität polnischer Republik, verwies auf polnisch-sowjetische Abmachungen vom 30.7.1941 und wiederholte frühere Forderungen, die in Sowjetunion befindlichen Polen frei zu lassen sowie Hilfsaktion für sie fortzusetzen. -

Weitere Vermittlungstätigkeit wurde dadurch erspart dass einmal polnische Regierung in eigentlicher Streitfrage, nämlich der Ostgrenze Polens ohne sich selbst aufzugeben, nicht entgegen kommen konnte, dass ferner englische Regierung die ostpolnischen Gebiete den Sowjets bereits zugestanden hatte und schliesslich Sowjetregierung keinerlei Anlass sah, auf ihre Ansprüche zu verzichten. Bemühungen bewirkten lediglich zweideutige Auslassung Stalins in Schreiben an Times-Korrespondenten und Erklärung Sikorskis dazu, die an grundsätzlicher Stellungnahme der beiden Parteien nichts änderten. Aggressive Erklärung Wyschinskis vor Vertretern britischer und nordamerikanischer Presse mit Beschuldigungen gegen polnische Regierung wegen Evakuierung polnischer Armee aus Sowjetunion und Spionage polnischer Beamter sowie Genehmigung Gesuchs polnischer Kommunistengruppe zur Aufstellung einer "Polnischen Division" in Sowjetunion komplizierten sogar Lage und riefen in England und Nordamerika peinliche Enttäuschung hervor. -

Polnisch-sowjetischer Konflikt ist eklatantes Beispiel für zwischen alliierten Mächten bestehende Differenzen. Vorgehen Sowjetregierung beweist, dass sie ihr Ziel der Bolschewisierung Polens und darüber hinaus Europas sowie ihren unmittelbaren Führungsanspruch in Ost- und Südosteuropa unentwegt weiter verfolgt und dass Hoffnungen polnischer und übriger Londoner Emigrantenregierungen auf wirksame Unterstützung durch England und Vereinigten Staaten völlig illusorisch sind. -  
Empfangsbestätigung. -

Steengrecht +

E424332

[Translation of Exhibit 40]

[5827/E424331]

[Stamped on face of copy:]  
 German Embassy Bern  
 Arrival  
 17 May 43  
 File No 2440  
 Annexes None

[Telegram]

Dispatch from Berlin on 16 May 1943 18 Hrs 40 Min German Summer Time

Arrival at Berne on 16 May 1943 18 Hrs 00 Min Central European Time

decoded: ---- Code Procedure: Special Secret Script.

Nr. Multex 459 of 15.5. Special Secret Script. Secret

For information and use in diplomatic conversation.

The discovery of the mass graves of Polish officers near Smolensk aroused an extraordinary sensation in world public opinion, and particularly among the Polish emigration. After the German Red Cross, as well as the Polish Emigré Government in London applied to the International Red Cross with a request for investigation by the dispatch of a delegation, the Soviet Government, whose relations with the Polish Emigré Government had been strained for some time, chiefly over the question of the Polish East Frontier, used the opportunity to procure recognition for its own view that East Poland formed part of the Soviet Union, and to free itself from the unwelcome Sikorski Government by breaking off diplomatic relations with the Polish emigré Government on 25.4.43. Against the powerful and successful German propaganda the Soviets have opposed nothing else than a fairy tale of "Archaeological grave-discoveries" and lies, repeated through official declarations, foreign journalists and neutral forensic pathologists, that the Polish officers were murdered by the Germans. In recognition of the undesirable consequences that the break of relations between the Polish Emigré Government and the Soviet Union would have, not only on Polish-Soviet relations, but also on their own relations with the Soviet Union, as well as the unfavourable effects on other smaller states in view of the Atlantic Charter, the British and North American governments have made urgent efforts to settle the conflict. As a result the Polish Emigré Government published a statement, that in form was restrained, but in content remained intransigent. They avoided the question

[end of sheet 5827/E424331]

of the employment of the International Red Cross, but emphasised the integrity and full sovereignty of the Polish Republic, referred to the Polish-Soviet Agreements of the 30.7.41 and the 4.12.41., and repeated their previous demands that the Poles to be found in the Soviet Union should be released and a relief programme for them be put into action.

Further mediatory activities were spared them in that, in the first place, the Polish Government, in the true point at issue, namely the East Frontier of Poland, could not make any concessions, without destroying itself; further, the English Government had already conceded the east Polish territories to the Soviets, and finally, the Soviet Government saw no reason to waive its claims. Further diplomatic efforts merely brought about Stalin's ambiguous statement in his letter to the Times Correspondent, and Sikorski's comment, neither of which altered the fundamental attitudes of the two parties. Vyschinski's aggressive remarks before representatives of British and North American Press with

accusations against the Polish Government over the evacuation of the Polish Army from the Soviet Union and the espionage of a Polish official, as well as the application by the Polish Communist Group, which was granted, to raise a "Polish Division" in the Soviet Union even complicated the situation and brought about painful disappointment in England and North America.

The Polish-Soviet conflict is an outstanding example of the existing differences between the allied powers. The attitude of the Soviet Government proves that she is steadfastly moving towards the goal of bolshevizing Poland and, beyond that, Europe as well as her claims to direct supremacy in East and South East Europe, and that the hopes of the Polish and other London emigré governments of active support through England and the United States are completely illusory.

Please acknowledge receipt of Telegram.

STEENGRACHT.

Mr. FLOOD. I show you a document marked for identification as exhibit No. 41, and I ask you to describe what it is and give your summary of it.

Dr. SWEET. This is dated the 21st of May 1943, from the head of the Cultural Policy Department, Six, to the Legation in Bern. This is a list of the Poles identified at Katyn. There are additional lists, unfiled, in the same file.

Mr. FLOOD. Exhibit No. 41 is now in evidence.

(Exhibit 41 was not included in the published record because it contains names of victims buried in Katyn which already appear in Exhibit 5A, Part 3, Chicago hearings. Exhibit 41, however, will remain as part of the committee's permanent file.)

Mr. FLOOD. I now show you a document marked for identification as exhibit No. 42 and I ask you to describe what it is and give your summary of it.

Dr. SWEET. This is dated the 17th of July 1943, from the Foreign Minister, Ribbentrop, to the Embassy in Madrid: Instructions to tell Jordana, the Spanish Foreign Minister, and Franco, that the German Government finds it incomprehensible that the Spanish Government should have influenced Dr. Piga to say that he could not take part in the investigation after all because of sickness.



Mr. FLOOD. Exhibit No. 42 is now in evidence.  
(Exhibit 42 is as follows:)

## EXHIBIT 42

Nur für  
Verschlusssache  
zu behandeln.

**T e l e g r a m m**  
(2-Schreiber)

Sonderzug, den 17. Juli 1943 16.00 Uhr  
Ankunft: " 17. " " 17.15 "

BRAM 291/R

Nr. 1093 vom 17.7. Telko  
An Diplogeram Madrid  
Telegramm in Ziffern  
(Geh.Oh.V.)

Vermerk:  
Unter Nr. 3340 an  
Diplogeram Madrid  
weitergeleitet.  
Tel.Akt.17.7.

Für Botschafter persönlich.

Ich bitte Sie bei nächster Gelegenheit beim  
Aussenminister Graf Jordana und auch bei General  
Munoz Grande, bei diesem zur Weitergabe an Ge-  
neralissimus Franco, das Gespräch darauf zu bringen,  
dass zu unserem Bedauern in der Ärzteskommission zur  
Besichtigung der Massengräber von Katyn, die sich  
aus anerkannten Kapazitäten verbündeter, befreund-  
eter und neutraler Staaten zusammengesetzt habe,  
Spanien nicht vertreten war. Zwar hätte Spanien den  
Gerichtsmediziner Professor Dr. Figa nach Berlin  
entsandt. Dieser hätte auch ein grosses Interesse  
am Besuch der Massengräber bekundet. Nach einem  
Besuch beim spanischen Botschafter in Berlin hätte  
er aber plötzlich erklärt, dass er aus Gesundheits-  
gründen nach Madrid zurückkehren müsse. Wir hätten  
gehört, dass es sich hier um eine diplomatische  
Krankheit gehandelt, und dass ihm der spanische  
Botschafter im Auftrag des spanischen Aussenmi-  
nisters die Reise nach Katyn untersagt habe. Die  
Rückreise Dr.Figa hätte zur Folge gehabt, dass das  
uns befreundete Spanien an der Konstatierung der  
geradezu ungeheuerlichen bolschewistischen Metho-  
den nicht beteiligt gewesen wäre, was allgemein auf-  
gefallen sei. Dies wäre umso bedauerlicher, als nicht  
nur verbündete und befreundete, sondern auch neutral-  
e Staaten - wie z.B. die Schweiz - bekannte Ärzte  
nach

St. S. Keppler  
U. S. S. Pol  
Botschafter Ritter  
Botschafter Gauss  
Herr Abt. Pers  
" " Ha Pol  
" " Recht  
" " Kult Pol  
" " Presse  
" " Rundfunk  
Chef Prot  
Dg. Pol  
Gr. Leiter Int. I  
Gr. Leiter Int. II  
A. d. Exp. del

Ges. Schnurre  
Ges. v. Grundhert  
L. R. Melchers  
Dr. Magenta

04078  
nach



## EXHIBIT 42—Continued

- 2 -

nach Katyn entsandt hätten. Diese hätten auch ihre Unterschrift unter das Protokoll gesetzt, in dem die bolschewistischen Greuel mit wissenschaftlicher Genauigkeit festgelegt worden seien.

Ich bitte Sie, bei Ihrer Unterredung durchzublicken zu lassen, dass uns die spanische Handlungsweise einfach unverständlich sei, denn wir könnten doch nicht annehmen, dass sich die spanische Regierung scheue, die bolschewistischen Greuel feststellen zu lassen, während andererseits die schweizer Regierung keine Bedenken dagegen gehabt habe, einen ihrer Ärzte nach Katyn zu entsenden, oder dass die spanische Regierung der Aufdeckung bolschewistischer Greuel habe entgegenwirken wollen.

Über die Aufnahme Ihres Gesprächs bitte ich zu berichten.

Ribbentrop

64079

[Translation of Exhibit 42]

[Telegram]

To be handled as  
secret matter

Special dispatch of 17 July 43 16.00 Hrs

Arrival 17 July 43 17.15 Hrs

**Comment:**

Relayed to

Diplogerma Madrid

as No. 3340.

Tel(ephone) Control. 17.7.

BRAM/291/R Tel(ephone) Co(ontrol)  
To Diplogerma Madrid  
Telegram in code.  
Secret Code Procedure.

Personal for Ambassador.

I request you at the next opportunity to bring to the notice of Foreign Minister Count Jordana and also General Munoz Grandes, for the attention of General Franco, our regrets that Spain was not represented in the Medical Commission composed of representatives of allied, friendly and neutral states, whose authority is recognised. It is true that Spain sent the forensic pathologist Professor Dr. Piga to Berlin. He showed great interest in visiting the mass-graves. After a visit to the Spanish Ambassador in Berlin he suddenly declared that, on grounds of health, he had to return to Madrid. According to our information this illness was of a diplomatic character, the Spanish Ambassador on instruction from the Spanish Foreign Minister, having forbidden him the journey to Katyn. The return (to Madrid) of Dr Piga had the consequence that friendly Spain did **not** take part in the confirmation of the atrocities of Bolshevism, which was the subject of general comment. This was more to be regretted in that, not only allied and friendly states, but also neutrals—as for example Switzerland—sent recognised medical authorities

[end of sheet 88/64078]

[88/64079]

to Katyn. These also set their signatures to the document in which the Bolshevist atrocities were delineated with scientific accuracy.

I request you, at this conversation to suggest that the Spanish behaviour is **completely** unintelligible to us, as we cannot believe that the Spanish Government is afraid to establish the facts of the Bolshevist atrocities, while the Swiss on the other hand have no objection to sending one of their medical authorities to Katyn, or that the Spanish Government wants to prevent the revelation of Bolshevist atrocities.

Please report on the reception of your demarche.

RIBBENTROP.

[sheet 88/64079]

Mr. FLOOD. I might say, doctor, that the committee realizes the extensive work and the great time and effort that you and your associates obviously put in, on the request of this committee, to select, from the very vast library of documents that you have, this group that you have presented here this morning, and we are very grateful.

Dr. SWEET. Thank you very much.

Chairman MADDEN. The committee thanks you for your testimony.

### TESTIMONY OF HANS BLESS, STEINHEIM, GERMANY, WESTPHALIA (THROUGH INTERPRETER VON HAHN)

Chairman MADDEN. Hans Bless.

Will you just give your name and address to the reporter?

Mr. BLESS. Hans Bless; Steinheim.

Chairman MADDEN. Mr. Bless, do you object to being photographed?

Mr. BLESS. I don't mind.

Chairman MADDEN. Mr. Bless, before you testify, it is our wish to invite your attention to the fact that, under German law, you will not



be liable for slander or libel, in either civil or criminal proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, the Congress of the United States, or the House of Representatives, will not assume any responsibility for your behalf with respect to libel or slander proceedings which may arise as a result of your testimony.

Do you understand that?

Mr. BLESS. Yes, I do.

Chairman MADDEN. All right, will you stand and be sworn?

Do you swear, by God the Almighty, that, to the best of your knowledge, you will tell the truth, the whole truth, and nothing but the truth; so help you God?

Mr. BLESS. I do.

Chairman MADDEN. Proceed.

Mr. FLOOD. What is your name?

Mr. BLESS. Hans Bless.

Mr. FLOOD. What is your present occupation?

Mr. BLESS. At present I am a salesman.

Mr. FLOOD. Where?

Mr. BLESS. Steinheim, Westphalia.

Mr. FLOOD. Were you ever identified with the Wehrmacht?

Mr. BLESS. Yes.

Mr. FLOOD. Were you a member of the German armed forces in 1943?

Mr. BLESS. Yes, I was.

Mr. FLOOD. Were you on the Russian, or eastern front?

Mr. BLESS. I was also on the eastern front.

Mr. FLOOD. With what unit?

Mr. BLESS. Reconnaissance unit.

Mr. FLOOD. When did you move into the Smolensk area?

Mr. BLESS. I will have to elaborate a little bit on that.

On the 1st of March of 1943, the Rzew bridgehead was abandoned. At that time, during all that retreat, I was the leader of the covering rear unit. It was in the vicinity of Dorogubush when the front line again became consolidated. Inasmuch as during all of that retreat I was covering the rear, subsequently I was sent to a resting place.

This happened sometime during the middle of March of 1943.

During that retreat, rumors were rife that somewhere at the Smolensk area, mass graves of Polish prisoners had been discovered. I no longer accurately recall whether or not I was officially ordered to proceed to Katyn; however, I still do know that I eventually traveled to Katyn in an automobile. However, I do definitely remember that the division at that time prepared special groups, which subsequently had been dispatched to Katyn.

Mr. FLOOD. Did you see the location of the graves?

Mr. BLESS. Yes, I did.

Mr. FLOOD. When were you there?

Mr. BLESS. I estimate I was there around the end of March; it might perhaps have been around the 20th or 25th of March.

Mr. FLOOD. The exhumations were already going on when you got there, were they?

Mr. BLESS. Yes, they were.

Mr. FLOOD. Did you talk to any Russian civilians in the area at any time?

Mr. BLESS. Yes.

Mr. FLOOD. What was the nature of those conversations?

Mr. BLESS. It was during a survey of the graves. There was a small group of us standing together.

And when I say "us" I am referring to a group of German soldiers and a serviceman.

I don't know who said, "Well, there is a Russian civilian standing out there in front." It was an old Russian of about—well, in my estimation, 70 years of age.

This Russian is also in a position to tell something. It would, however, be practical to offer him a cigarette right at the outset.

The Russian civilian testified approximately as follows: "Several years ago—it was in the spring—a transport of prisoners of war arrived on a train at the nearest railroad station," that subsequently, the entire area where the graves were located had been cordoned off, as well as—as he expressed himself—a cottage where Kommissars were purportedly residing; that Polish prisoners of war had subsequently been taken to that area on trucks. The shooting reportedly took place every day in the early hours of the morning.

And I believe that is all.

Mr. FLOOD. Was that the only Russian civilian to whom you spoke?

Mr. BLESS. Yes, that was the only one I spoke to. However, I happened to see some more Russian civilians around. They were busy, they were working.

Mr. FLOOD. At what stage was the exhumation when you were there; what degree of exhumation?

Mr. BLESS. I was there when the exhumation of the second grave was just begun.

Mr. FLOOD. Did you see the bodies closely enough to observe how they may have been killed?

Mr. BLESS. Yes.

Mr. FLOOD. Did you pay any attention as to whether or not the hands were tied?

Mr. BLESS. Yes; I did.

Mr. FLOOD. Did you observe anything with reference to documents or what may be described as the personal effects of any of the dead bodies?

Mr. BLESS. Yes. There was a series of—as I should put it—personal property of no practical value at all, such as handkerchiefs, papers, letters. But on the chest of either a colonel or a lieutenant colonel, there was a diary lying on his chest. It might perhaps be of interest to note that the pockets of all of the uniform coats had been cut by scissors in order to gain easier access to the pockets of the uniforms.

With respect to the tying of the hands, I wish to indicate that partially the hands were tied by wire. In one instance, I recall he must have been tied by his own belt. In various other instances, the hands were tied by pieces of string or rope.

Mr. FLOOD. Were you close enough to actually observe that yourself?

Mr. BLESS. Well, in one instance, for example, of a body that had been lying on its back, I actually investigated how his hands were bound.

Mr. FLOOD. You mentioned a diary. Did you have a chance to look at or see the diary?

Mr. BLESS. Yes, I did. I said, "Well, it is too bad nobody around here speaks Polish." Subsequently, however, we found a German noncommissioned officer who spoke Polish; whose name, however, I don't know.

Then we picked up the diary, which had been lying on the chest of this colonel or lieutenant colonel, as I indicated before, and the non-commissioned officer subsequently translated practically all of the diary to us.

Mr. FLOOD. Can you give us the gist of what it said. the meat of what it said?

Mr. BLESS. Yes.

He set forth in writing, first, the circumstances of his capture; that subsequently all of them were herded into a large camp; later, part of the inmates of the camp were taken away somewhere, so that eventually nothing but officers remained in the camp.

Mr. FLOOD. Do you happen to remember, or did you notice; and if you did notice, do you remember the last date of entry on the diary?

Mr. BLESS. Yes. As a matter of fact, I recall it precisely.

Mr. FLOOD. What was it?

Mr. BLESS. Adolph Hitler's birthday was on the 20th of April.

Mr. FLOOD. What was the date recorded?

Mr. BLESS. The last entry in the diary was the 20th of April, because I recall I made a remark. In a jocular mood, I said, "Well, as a reward from the Russians to Adolph Hitler for having given them a portion of Poland, the Russians killed those officers."

Mr. FLOOD. What was the date of the diary?

Mr. BLESS. The last date was the 20th of April.

Mr. FLOOD. What year?

Mr. BLESS. 1940.

Mr. FLOOD. In your conversations with any Russians, or the Russian to whom you talked, did that Russian indicate any opinion as to who did the shootings?

Mr. BLESS. If I remember correctly, this one Russian I spoke to held it was the Red army who did the shootings.

Mr. FLOOD. Did you happen to hear of any Russians or any rumors in the area that any Russians blamed the Germans for the shooting?

Mr. BLESS. No, I did not; not at that time, at least. I think the first time I heard about that was sometime in 1946.

Mr. FLOOD. Where, in 1946, did you ever hear that kind of talk?

Mr. BLESS. It was here in Germany. I read it in the papers. It was in connection with the Nuremberg Tribunal proceedings.

Mr. FLOOD. But you never talked to any Russians who said that or heard of any Russians who said that in 1943; is that it?

Mr. BLESS. No; at least, I don't remember.

Mr. FLOOD. That is all.

Mr. DONDERO. No questions.

Mr. MACHROWICZ. No questions.

Chairman MADDEN. We want to thank you for your testimony.

I might say to the photographers: I hope you will comply with the request that we all respect the rights of any witnesses who do not wish to be photographed. In any event, do not take any photographs until the question is propounded to them. The next witness does not object.

Dr. Tramsen is the next witness.



**TESTIMONY OF DR. HELGE TRAMSEN, COPENHAGEN, DENMARK**

Chairman MADDEN. Doctor, would you give the reporter your name and address, please?

Dr. TRAMSEN. Helge Tramsen; Copenhagen.

Chairman MADDEN. Doctor, before you testify, it is our wish to invite your attention to the fact that, under German law, you will not be liable for slander or libel, either in criminal or civil proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as a result of your testimony.

Do you understand that?

Dr. TRAMSEN. Yes.

Chairman MADDEN. Now, if you will stand and be sworn.

Do you swear, by God the Almighty, that you will, according to the best of your knowledge, tell the pure truth, the whole truth, and nothing but the truth; so help you God?

Dr. TRAMSEN. Yes, I do.

Mr. FLOOD. What is your name?

Dr. TRAMSEN. Helge Tramsen.

Do you want the full name?

Mr. FLOOD. Yes.

Dr. TRAMSEN. Helge Andreas Boysen Tramsen.

Mr. FLOOD. What is your present occupation?

Dr. TRAMSEN. I am a practitioner in Copenhagen and, at the same time, a lecturer at the university, teaching at the high school of physical training, and a surgeon commander in the Royal Danish Navy.

Mr. FLOOD. You practice medicine, I suppose?

Dr. TRAMSEN. Yes, I do.

Mr. FLOOD. How long have you been engaged in the practice of medicine?

Dr. TRAMSEN. I did my final examination in 1936 at the Copenhagen University, and later I had training in hospitals and scientific institutes in Copenhagen.

Mr. FLOOD. You indicated that you are a reserve surgeon in the Danish armed forces, did you?

Dr. TRAMSEN. Yes.

Mr. FLOOD. Where did you get your surgery?

Dr. TRAMSEN. I got my surgery at the university clinic in Copenhagen, Rigs Hospital, and several other hospitals; and from 1940, November, I studied and did scientific work at the Institute of Medico-Legal Medicine. In 1943 I was prosecutor—you call it—at this institute.

Mr. FLOOD. In 1943, what had been your experience in the general or special field of pathology?

Dr. TRAMSEN. Three years of training in pathology and medico-legal medicine at the University Institute in Copenhagen.

Mr. FLOOD. Had you experience in the performance of post mortems or autopsies on human bodies?

Dr. TRAMSEN. Yes, I had.

Mr. FLOOD. All areas of the human body?

Dr. TRAMSEN. Yes.

Mr. FLOOD. What is your experience in the field of forensic or legal medicine?

Dr. TRAMSEN. In those 3 years I worked—it was altogether 4 years—I worked at the University Institute of Medico-Legal Medicine. I did every day post mortems of murder cases and sudden death of unnatural cause.

Mr. FLOOD. I direct your attention to the year of 1943 and ask you whether or not, in that year, the matter of the Katyn Forest massacres was brought to your attention?

Dr. TRAMSEN. Yes. I have read about it in the Danish press.

Mr. FLOOD. Did the then German Government subsequently, in any way, communicate with you with reference to your serving professionally in connection with that incident?

Dr. TRAMSEN. Yes. On April 22, 1943, I had the offer from the Danish Foreign Office to be a member of a committee, consisting of scientists and medico-legal specialists, that should go to Katyn to investigate the tombs and do post mortems on the dead bodies there. And the secretary of foreign affairs in Copenhagen told me that this invitation had come straight from the Reichsgesundheitsfuehrer, Dr. Conti, in Berlin.

Mr. FLOOD. Then I understand that the invitation from the then German Government did not come directly to you but was transmitted to you by the then Danish Foreign Office. Is that correct?

Dr. TRAMSEN. Yes.

Mr. FLOOD. And what did you reply?

Dr. TRAMSEN. The first invitation had come to my chief, Professor Sand, and he was a very old man and didn't feel like going on this long journey. So he pointed me out because at that time I was a military doctor as well, and he thought it would be possibly the best thing to have a military surgeon as well going on this job.

Mr. FLOOD. Your chief where?

Dr. TRAMSEN. At the University Institute for Medico-Legal Medicine.

Mr. FLOOD. You were so designated, then, as I understand it?

Dr. TRAMSEN. Yes.

And may I add there that I had an official order from the Danish Minister of Foreign Affairs, as well as the admiralty, to join the committee.

Mr. FLOOD. So your appearance upon this international medical commission was not the result of any direct or personal negotiations between you and the then German Government?

Dr. TRAMSEN. No.

Mr. FLOOD. I presume you then took your place with the commission. Will you, in your own words, just tell us what developed up until the point you reached Katyn?

Dr. TRAMSEN. Yes. On April 27, 1943, I was taken by a special plane from Copenhagen to Berlin.

Mr. FLOOD. May I interrupt? I, of course, take for granted that you were aware that on April 15, 1943, the Germans had made the announcement of their discovery at the Katyn Forest; followed 2

days later, on April 17, by the Russian announcement or the Russian reply to the German charges?

Dr. TRAMSEN. Yes.

Mr. FLOOD. Will you proceed?

Dr. TRAMSEN. In Berlin I was presented in the Hotel Adlon to the other members of this medical scientific committee by Dr. Zietz, from the Reichsgesundheitsamt. I knew several of these gentlemen beforehand by name through international scientific circles.

Mr. FLOOD. Do you at this time think you can give us the names of the men who were on the commission with you?

Dr. TRAMSEN. From Belgium, Professor Speleers.

Mr. FLOOD. When you read that, will you also state the name of the university, or his identity?

Dr. TRAMSEN. Yes.

This Professor Speleers was professor in ophthalmology in the University of Ghent.

Dr. Markov, lecturer at the Institute of Forensic Medicine and Criminology, University of Sofia, Bulgaria.

No. 3 was me.

No. 4, Professor Saxen, Professor of Pathologic Anatomy in Helsinki, Finland.

Professor Palmieri, professor in medico-legal medicine and criminology in the University of Naples.

Professor Miloslawich, professor of medico-legal medicine and criminology, University of Agram, Croatia.

Mr. FLOOD. Doctor, you might like to know that Dr. Miloslawich has already testified before this committee, at its hearings in America, in the city of Chicago.

Dr. TRAMSEN. Yes. Professor Burlet, professor of anatomy in Groningen, Holland. Professor Hajek, professor of medico-legal medicine and criminology in Prague. Dr. Birkle, forensic specialist for the Rumanian Minister of Justice and prosecutor at the Institute of Medico-legal Medicine and Criminology, Bucharest, Rumania. Professor Naville, professor of medico-legal medicine, University of Geneva. Professor Subik, professor of pathologic anatomy, University of Pressburg, Czechoslovakia.

No. 12, Professor Orsos, professor of forensic medicine and criminology, University of Budapest. This is the total list.

And Professor Orsos was chosen chairman of the committee because he was, I should say, the most well known specialist and he had the advantage that he could speak Russian fluently, having been a Russian prisoner of war in Russia for 4 years during the First World War.

Mr. FLOOD. Who selected Dr. Orsos as the chairman of the delegation?

Dr. TRAMSEN. We did that between us.

Mr. FLOOD. Then Dr. Orsos was elected or selected as chairman by his fellow scientists who were members of the delegation, as you have just described?

Dr. TRAMSEN. Yes.

Mr. FLOOD. Were there any consultants or German delegations or scientists who cooperated or were with you at the time?

Dr. TRAMSEN. Yes; several doctors and specialists, of which I don't recall all the names, from the University Institute of Forensic Medi-

cine in Berlin. Professor Miller Hess was the chief, and his second assistant was there, I remember, Dr. Huber.

Mr. FLOOD. Do you recall a Dr. Buhtz?

Dr. TRAMSEN. Yes. But he was not in Berlin; he was in Smolensk and we met him out there. He was ordinary professor of forensic medicine in the University of Breslau.

Mr. FLOOD. Did you see him present at any time at Katyn when you were there?

Dr. TRAMSEN. Yes. He was actually the leader of the whole expedition and examinations during the days we stayed in Smolensk.

Mr. FLOOD. Representing the German Government?

Dr. TRAMSEN. Yes; representing the German Government.

Mr. FLOOD. Do you recall any French delegate or any French representative?

Dr. TRAMSEN. Yes. There was a rather elderly professor, Dr. Costedoat, who did not take much part in the negotiations as he said he was sent only from the French Government to investigate what we were doing. He was a specialist in psychology.

Mr. FLOOD. Did you go to Berlin?

Dr. TRAMSEN. Yes. And early next morning we were taken in German military airplanes from Tempelhof, landing midway in Warsaw and finishing up in Smolensk at 6 or 7 o'clock in the evening, a 1,600-mile flight.

Mr. FLOOD. When did you get to the graves at the Katyn Forest?

Dr. TRAMSEN. Next morning, about 10 o'clock.

We were collected at the house of the Wehrmacht, where we stayed for the night, and taken in Germany military buses out to the Katyn woods about 16 kilometers west of Smolensk.

Mr. FLOOD. Will you describe, in your own words, your first impression and your observations of what you saw immediately upon arriving at the scene of the graves?

Dr. TRAMSEN. The first thing we saw was a rather sparse wood of fir trees, and there was a terrible smell of decay. And then we saw, in a sort of lane, a long line of dead bodies that had already been extracted from the tombs.

This is the first few I saw (producing photograph).

We were taken immediately to the tombs.

Mr. FLOOD. May I interrupt?

Will the stenographer mark for identification this photograph as exhibit No. 43?

(The photograph referred to marked for identification "Exhibit 43.")

Mr. FLOOD. I now show you a photograph marked for identification as exhibit No. 43 and ask you, Doctor, to describe what that is.

Dr. TRAMSEN. In this picture you see about 20 rows of dead bodies and anything up to 15 dead bodies in each row; all fully dressed in typical uniform dresses and with their boots in rather good condition. That was about the first thing I observed.

Mr. FLOOD. We will offer that in evidence.  
(Exhibit 43 is as follows:)

EXHIBIT No. 43



Rows of exhumed bodies at Katyn.

Mr. MACHROWICZ. Who took that picture?

Dr. TRAMSEN. The Germans took that.

Mr. MACHROWICZ. In your presence?

Dr. TRAMSEN. Yes.

Mr. FLOOD. Has this been in your possession ever since?

Dr. TRAMSEN. Yes.

Mr. FLOOD. Until you presented it here this morning?

Dr. TRAMSEN. Yes.

Mr. FLOOD. Very well.

Dr. TRAMSEN. Secondly, we were taken to the tombs, of which we soon counted seven. They were lying in various heights on a sloping hill. We went down into some of the tombs, as you see me on this picture standing along by the dead bodies.

Mr. FLOOD. Just a moment.

We now ask the stenographer to mark for identification a photograph as exhibit No. 44.

(The photograph referred to was marked for identification as "Exhibit 44" and is as follows:)

EXHIBIT 44



Professor Subik and Dr. Tramsen (on left) standing in mass grave.



Mr. FLOOD. I now show the witness exhibit No. 44, a photograph, and ask him to identify the photograph and the persons who are on the photograph.

Dr. TRAMSEN. In this picture, you see the bottom of one of the tombs, filled up with dead bodies, and by the side of these dead bodies are two of the members of the committee: Professor Subik and me.

Mr. FLOOD. I take for granted, Doctor, that these two exhibits thus far introduced and the others—if you have any that will be introduced—are photographs, as you say, taken by the Germans, given to you, and have been in your custody up until you presented them to the committee this morning?

Dr. TRAMSEN. Yes.

Mr. FLOOD. Proceed.

Dr. TRAMSEN. We tried to make an impression of how many dead bodies some of these tombs could hold, and in one of these tombs it seemed to be quite an easy job because the dead bodies were all lying in very even sheets, and we could count the dead bodies in the line and in the sheets because at the site of the tombs the tomb would deck down to the lowest sheet.

Mr. DONDERO. Do you mean tiers, Doctor?

Dr. TRAMSEN. Yes.

Mr. FLOOD. Just a moment.

Will the stenographer mark another photograph as exhibit 45?

(The photograph referred to was marked for identification as "Exhibit 45" and is as follows:)

EXHIBIT 45



Katyn victims buried in tiers.

Mr. FLOOD. I now show you a photograph marked as exhibit 45 and ask you if he can identify that photograph and describe it.

Dr. TRAMSEN. This photograph only shows various layers of the dead bodies with all the heads lying in the same line.

Mr. FLOOD. Will you let me have the other photographs so that we will be able to make them as exhibits as we did with the doctor's earlier. We do this only for the purpose of saving time. We did the same thing with the documents just presented by the other witnesses.

Will the stenographer mark these photographs for identification as exhibit 46 and in sequence. They are photographs for the purpose of exhibits.

(The documents referred to were marked "Frankfurt Exhibits Nos. 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, and 60," and are shown as follows:)

## EXHIBIT 46



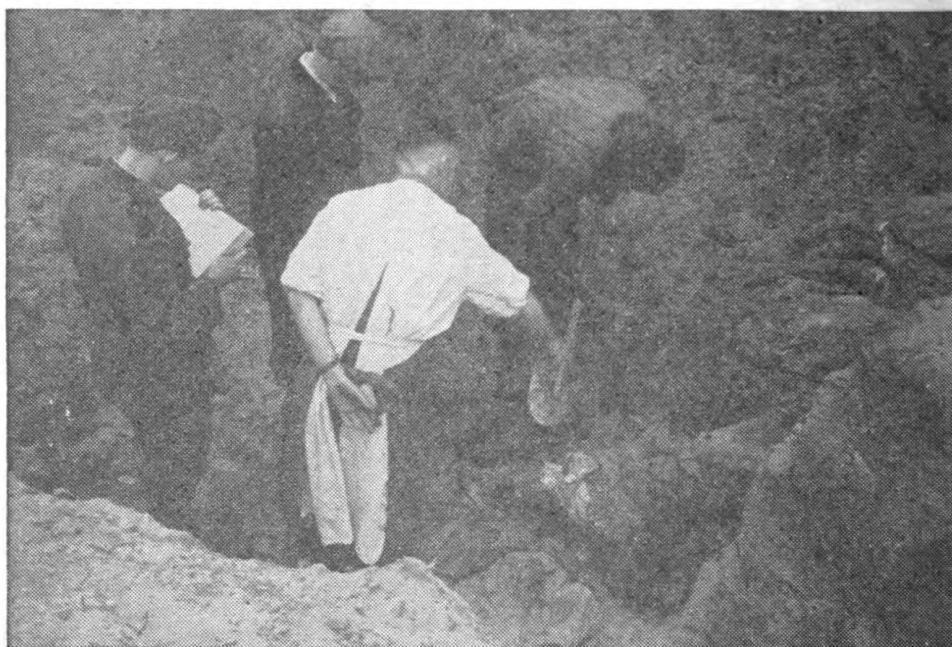
Professor Buhtz (on left) in presence of Medical Commission removing identification papers from body.

## EXHIBIT 47



View of autopsy tables showing members of International Medical Commission at work.

## EXHIBIT 48



Dr. Tramsen (with cap on) selecting body from mass grave.



EXHIBIT 49



Dr. Tramsen performing autopsy at Katyn.



EXHIBIT 50



Prof. Frantisek Hajek removing boot of Katyn dead.

EXHIBIT 51



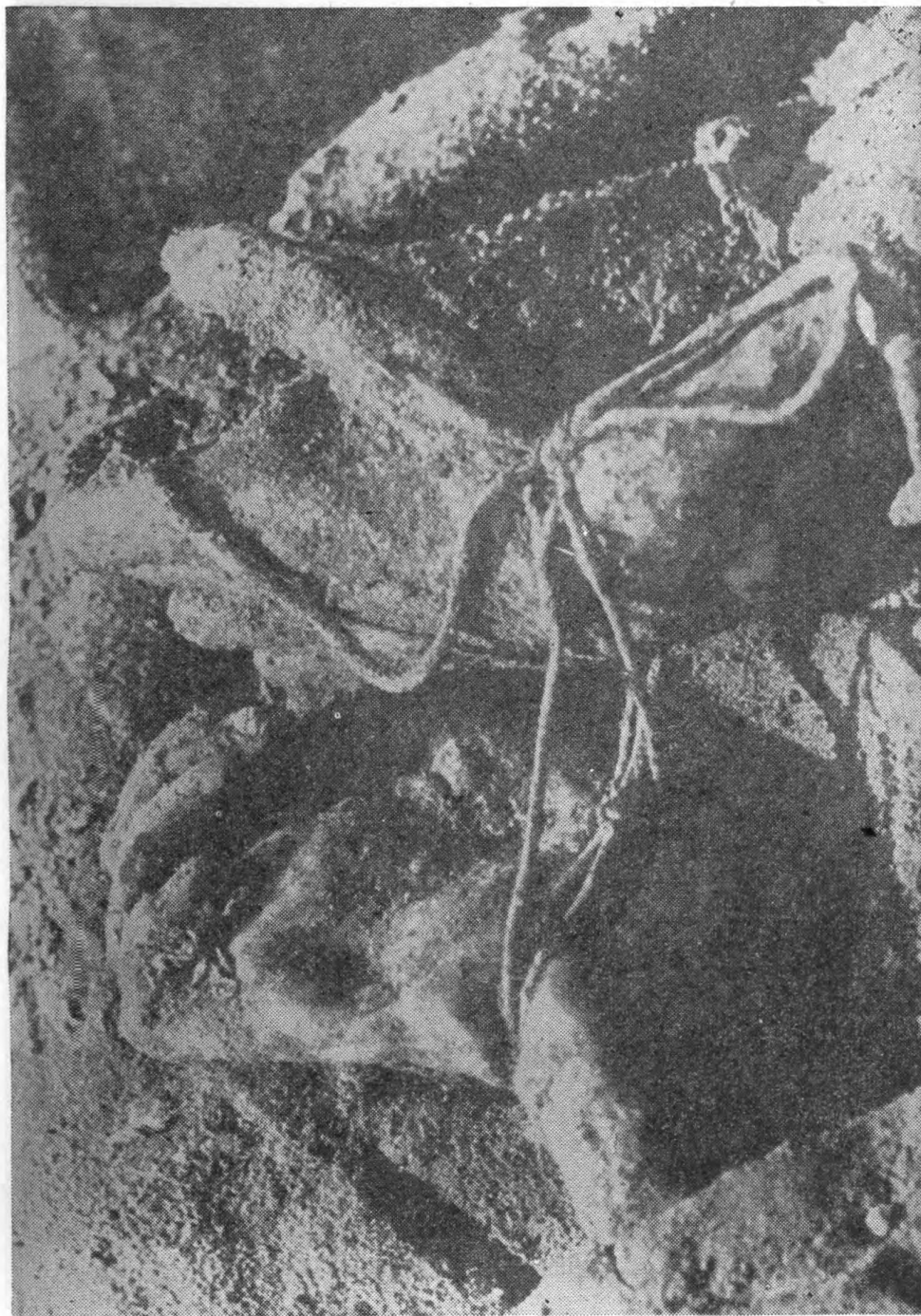
Profssor Miloslavich examining identification paper of Katyn victim as Dr. Tramsen  
watches.



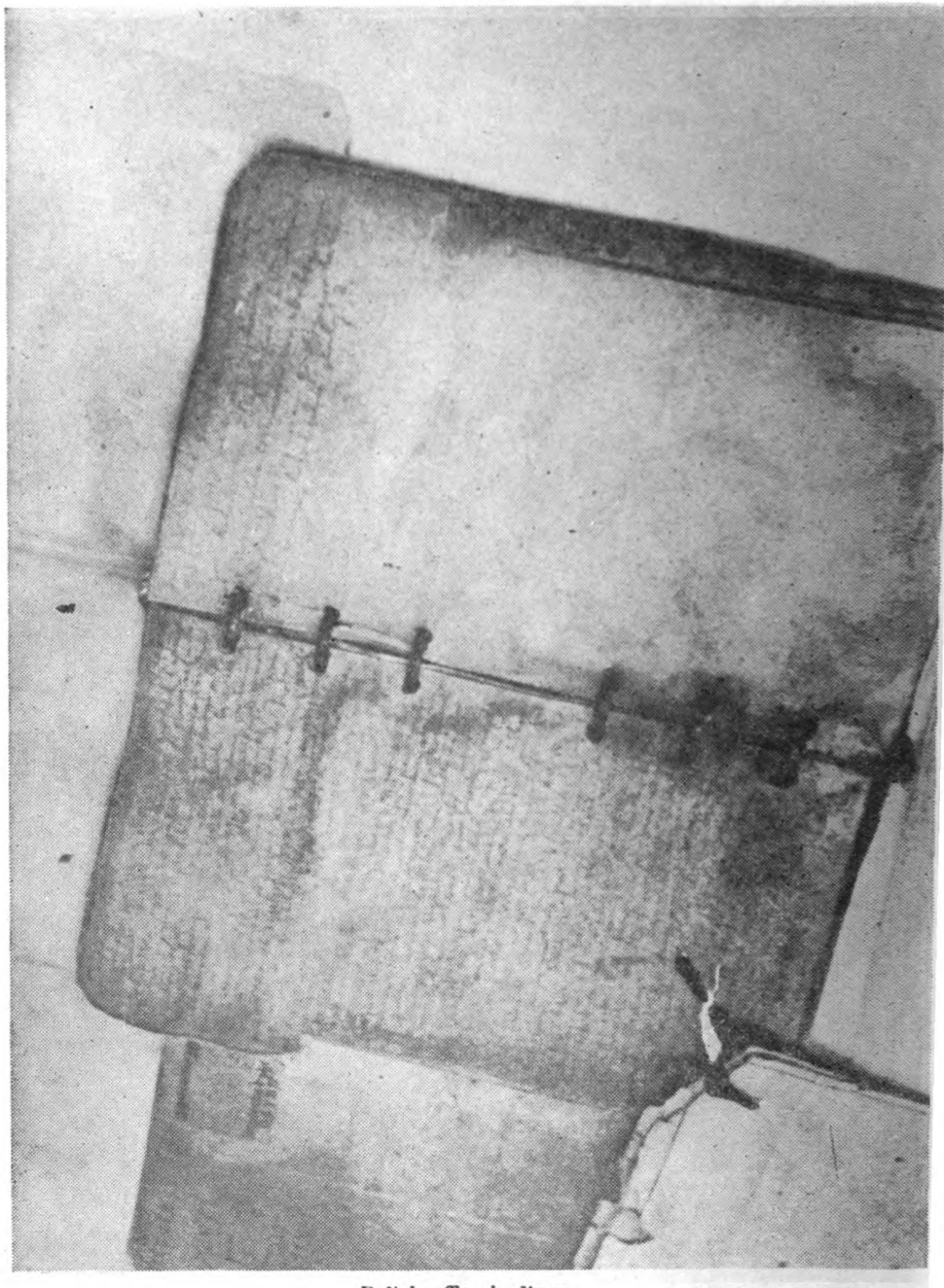


Skull of Katyn victim with bullet visible.

EXHIBIT 53



Polish officer's hands tied with cord.



Polish officer's diary.



**EXHIBIT 55**

**Personal belongings of a Polish general.**



## EXHIBIT 56



Laboratory in German institute at Smolensk. Professor Miloslavich holding skull.

EXHIBIT 57



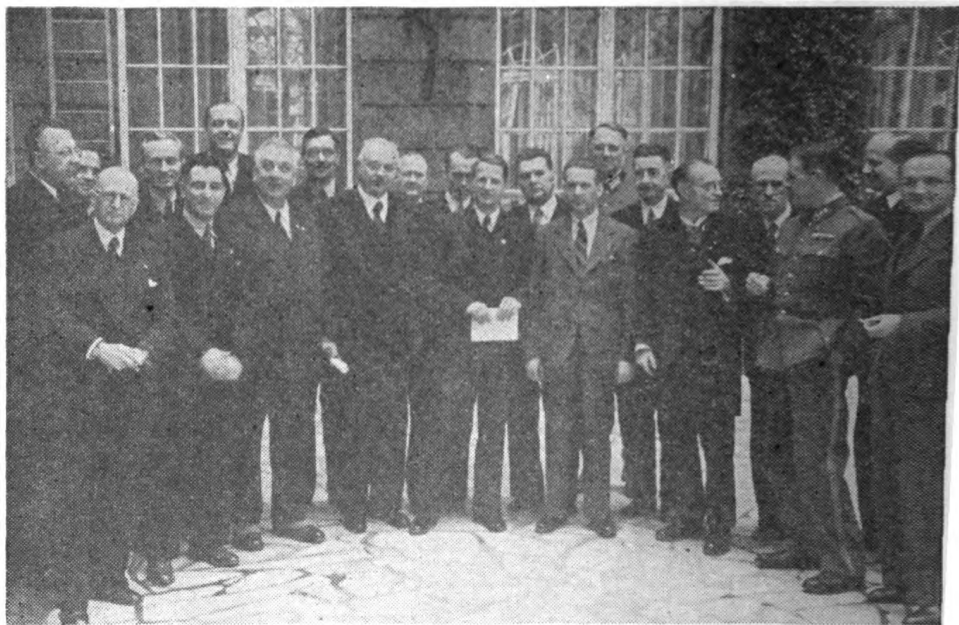
Final meeting of committee at the institute in Smolensk. Dr. Buhtz, German professor, standing.

EXHIBIT 58



Professor Orsos and other Medical Commission members discussing German protocol with members of the Health Ministry.

EXHIBIT 59



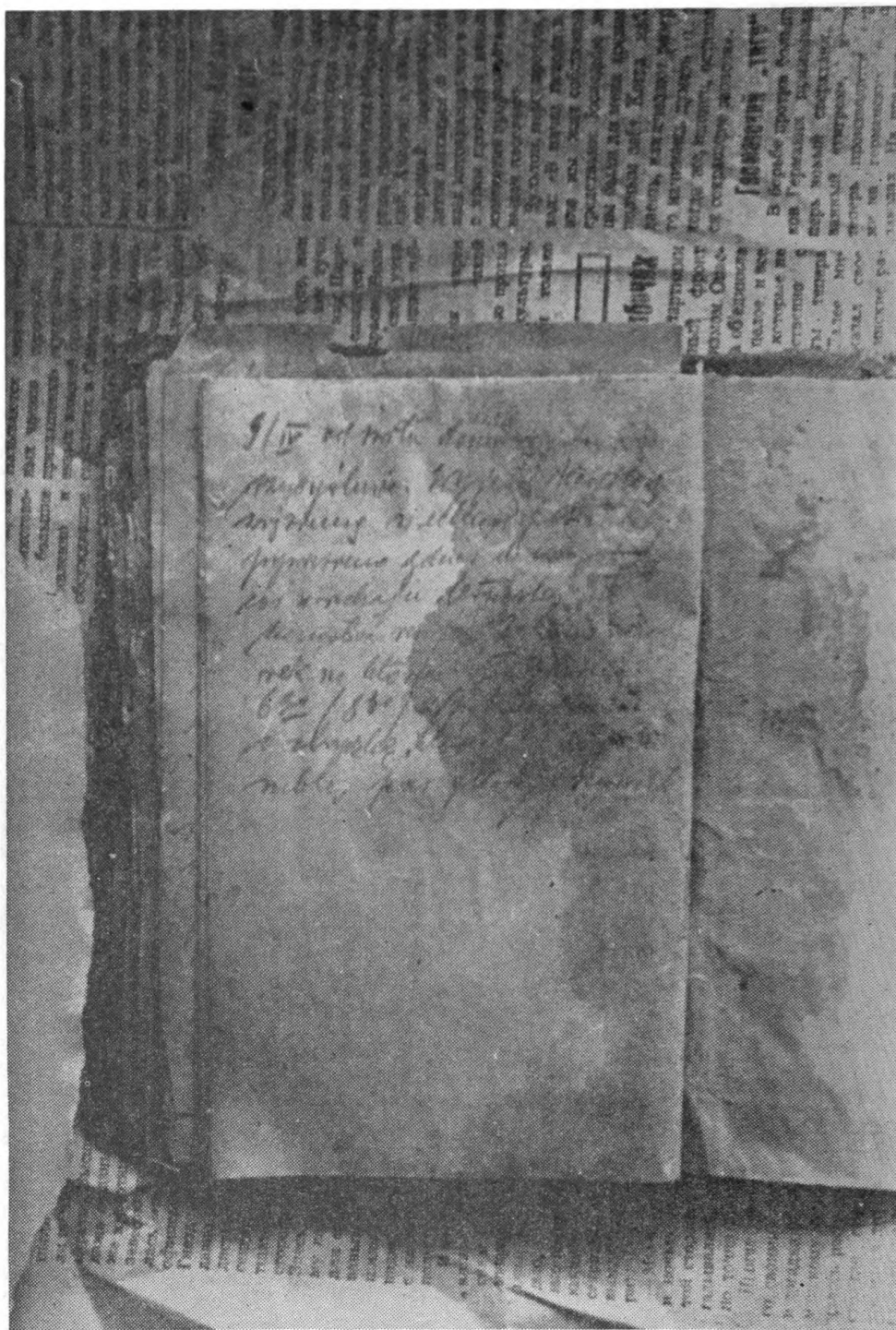
Left to right : Dr. Zietz, Professor Naville, Professor Subik, Professor Palmieri, unidentified, Professor Miloslavich, Professor Hajek, Professor Orsos, unidentified, Dr. Tramsen, Dr. Conte, Dr. Markhov, Dr. Birkle, Professor Buhtz, Professor de Burlet, Professor Speleers, Dr. Costedoat, Professor Saxen, and two German secretaries from the ministry of health. Photo taken in courtyard of Hotel Adlon in Berlin.

EXHIBIT 60



Members of committee walking past Dnieper Castle in Katyn Woods.





Katyn victim's diary, date visible as April 19.

Mr. FLOOD. Proceed, please.

Dr. TRAMSEN. Approximately, we could reckon that not less than 2,500 dead bodies could be held in the biggest of these tombs, and a

varying number, small numbers, in each of the other tombs. But how many altogether we did not make any statement at that time, unfortunately.

The next thing was that, under the leadership of Professor Buhtz, one of the dead bodies was extracted from a place in one of the tombs that the committee pointed out itself. This body was put on a wooden table and the committee collected around it were able, with Professor Buhtz, to identify the body as you see on the picture, exhibit 46. It could be done because we found in the pockets of the uniform jacket several personal papers and between them some letters, but I do not recall the name of that special first dead body we examined. This was what actually happened that morning, and we returned about mid-day to Smolensk.

The further investigations of the tombs took place the next day with the post-mortem autopsies. As you already have been told about the titles of the members of the committee, some of these committee members were not specialists in forensic medicine, so we had decided upon that only those with forensic medical specialist training should do the postmortems, and that was nine of us.

Mr. FLOOD. The decision to have you nine of the entire commission conduct the postmortems was a decision made by agreement of the scientists on the commission?

Dr. TRAMSEN. On the whole commission; yes.

Mr. FLOOD. And not by any German decision?

Dr. TRAMSEN. No.

So, we, next morning, went to the wood at quarter past nine to proceed with the examinations. As you see, on exhibit 47, six tables for autopsies were put up in an open space in the wood. The Germans had supplied us with typists, interpreters, secretaries, and all instruments, rubber gloves, rubber aprons, and everything necessary for postmortem autopsies. I went down about 10 o'clock in one of the tombs, as you see on exhibit 48.

Mr. FLOOD. You are using the term "tomb" interchangeably with "grave"; is that so?

Dr. TRAMSEN. Yes, that is the same.

In one of the graves, and with me was a German secretary and an assistant doctor and one of the civilian Russian workers that was working for the Germans in the place. I chose myself the very place where I wanted to extract a body and this is what you see on exhibit 48. This dead body was put on a table and I examined it from the outside. I could see the body was dressed in a Polish uniform.

Mr. FLOOD. How did you know it was a Polish uniform?

Dr. TRAMSEN. I could see the buttons with the Polish eagle and I could see the badge of the uniform cap which was lying next to the body.

Mr. FLOOD. You are holding in your hand at this moment what appears to be a uniform badge.

Dr. TRAMSEN. Yes.

Mr. FLOOD. Is that one of the badges taken from one of the bodies?

Dr. TRAMSEN. That is a badge taken from the cap of that dead body I extracted.

Mr. FLOOD. May we see that, please?

Dr. TRAMSEN. Yes.



Mr. FLOOD. And this has been in your possession ever since you yourself took it from the uniform of one of the dead bodies at Katyn under the circumstances you have described; is that correct?

Dr. TRAMSEN. Yes; that's right.

Mr. FLOOD. And you described this as the Polish eagle insignia taken from the cap of a Polish officer's body at Katyn?

Dr. TRAMSEN. Yes.

Mr. FLOOD. Will the stenographer mark the cap insignia as "Exhibit 61" for identification?

(Actual insignia in committee file.)

(The article referred to was marked "Frankfurt Exhibit No. 61," and a photograph is shown as follows:)



EXHIBIT 61

Cap insignia of Polish victim.

Mr. FLOOD. Doctor, I now show you exhibit 61 marked for identification and ask you whether or not that is the insignia taken from the cap of a Polish officer's body at the grave at Katyn?

Dr. TRAMSEN. Yes.

Mr. FLOOD. That is in evidence.

Dr. TRAMSEN. My next job was to try and identify this dead body and it didn't take me a long time because in the right side of the uniform jacket, the inside pocket, I found the military pass of this officer, with a red mark of mobilization, and his name very clearly to be read, as Ludwig Szyminski, and his address as Krakow-Miasto, stamped on the front page. On the other side, there was a place for a photograph but, unfortunately, this had been so spoiled that nothing could be seen on the photograph. But, underneath, with a special significance for identification, it has "eyebrows," "beard," "height," and so forth.

Mr. FLOOD. Will the stenographer put these two described papers, the mobilization notice and the identification slip, together and mark them as "Exhibit 62"?

(The documents referred to were marked "Frankfurt Exhibit No. 62," and placed in the committee files. A photograph is shown as follows:)

## EXHIBIT 62

KSIĄŻECZKA STANU SŁUŻBY OFICERSKIEJ		
(stopień rez. lub posp. rzad.)		(nazwisko)
(imiona)		
Przynależność do P. K. U.		
W chwili wydania książeczki	Nazwa P. K. U.	L. K. Swid.
Późniejsze zmiany wskutek przesie- dlenia	Miasto	

Mobilization notice and identification slip of Polish officer.

## EXHIBIT 62—Continued

Miejsce dla fotografii

Pieczęć

1. *średni* Rysopis:

Wzrost *średni* Nos *prosty*

Włosy *ciemne-kręcone* Usta *średnie*

Brwi *ciężkie* Broda *prosta*

Oczy *niebieskie* Twarz *owalna*

Specjalne znaki

*Wojciech*  
*KT*

(podpis właściciela księgi)

TU NALEŻY PRZECHOWYWAĆ TAKO  
KARTĘ MOBILIZACYJNĄ

Mobilization notice and identification slip of Polish officer taken from body.

Mr. FLOOD. I show you exhibit 62 for identification and ask you if that is the identification slip and the mobilization order to which you just referred?

Dr. TRAMSEN. Yes.

Besides, I found a lot of papers, newspapers, and, as well, a pocketbook. This showed very clearly that the owner must have been a chemist. It was a Polish pocketbook from Bayer Meister Lucius, a German medical firm, giving all the details about the doses of this medical firm. Another little extraordinary detail was that the officer probably must have been a stamp collector, because he had an envelope with some Russian and Polish stamps in his pocketbook.

Mr. FLOOD. Will the stenographer mark as "Exhibit 63" for identification this envelope containing the package of stamps the doctor has just described?

(The envelope referred to was marked "Frankfurt Exhibit No. 63," and placed in the committee files. A photograph is shown as follows.)

EXHIBIT 63



Stamp collection of a Katyn victim.



Mr. FLOOD. Doctor, I now show you an envelope, marked for identification as "Exhibit 63," containing these stamps you have just described. Take a look at those stamps. Are those the stamps you have just mentioned?

Dr. TRAMSEN. Yes, they are.

Mr. FLOOD. Go ahead.

Dr. TRAMSEN. In the pocketbook I found several Polish bank notes.

Mr. FLOOD. What is the name of that type of currency?

Dr. TRAMSEN. These are zloty.

That was not extraordinary, because they were found in masses on pretty well all the bodies extracted from the grave.

Mr. FLOOD. Mark for identification as "Exhibit 64" this envelope containing the zloty just described by the doctor.



EXHIBIT 64—Continued



Polish zloty (currency) found on body of Katyn victim.

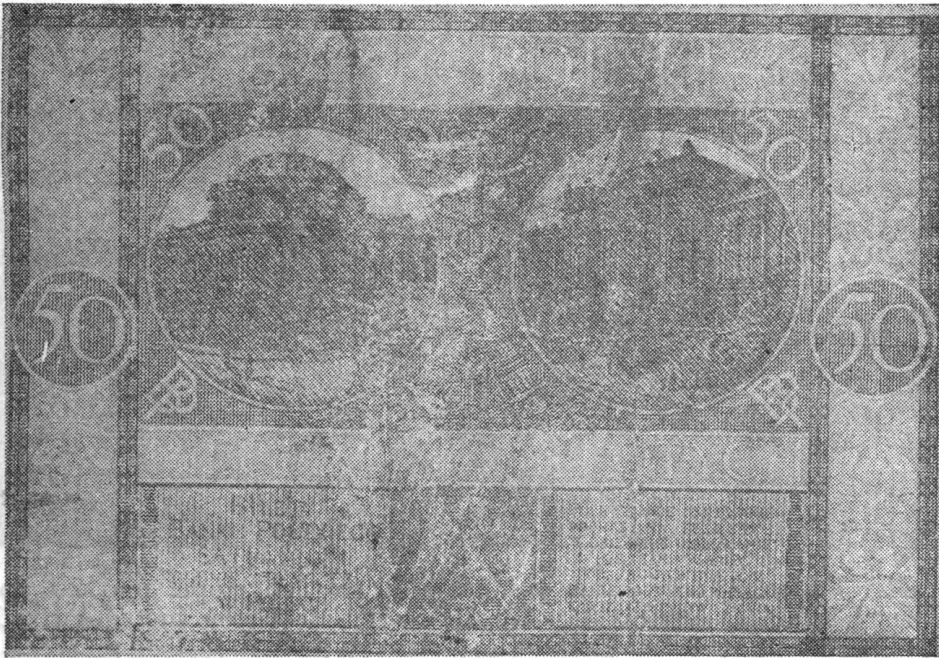
## EXHIBIT 64—Continued



Polish zloty (currency) found on body of Katyn victim.



EXHIBIT 64—Continued



Polish zloty (currency) found on body of Katyn victim.

## EXHIBIT 64—Continued



Mr. FLOOD. I now show you, doctor, this envelope, marked for identification as exhibit 64, containing the zloty you just described. Look at that envelope. Is this the zloty you have described?

Dr. TRAMSEN. They are.

It was remarkable that we didn't find anything of great value, like fountain pens or watches. I didn't find any on this body either, but I found two small coins in the waistcoat pocket—5 and 10 grozy.

Mr. FLOOD. The envelope containing the coins just indicated will be marked as exhibit 65 for identification and placed in the committee files.

(The envelope referred to was marked "Frankfurt Exhibit No. 65," and a photograph is shown as follows:)

EXHIBIT 65



Polish coins found on exhumed body.

Mr. FLOOD. Doctor, I show you an envelope marked for identification as exhibit 65 containing the coins to which you have just referred. Will you examine the envelope and does it contain those coins?

Dr. TRAMSEN. Yes; it does.

Chairman MADDEN. We'll have a 3-minute recess.

(Whereupon, a recess was taken.)

Mr. FLOOD. Doctor, when we recessed, you were in the process of continuing your story. Will you go on from there?



Dr. TRAMSEN. Yes; I was telling about doing the identification of this dead body that was removed from one of the graves.

Having cut open the uniforms and clothes, I could remark that they must have been on the dead body for quite a while, a long time, because the underclothes were more or less compact with the skin. But they were all in the proper size and all buttoned up. I could remark that he was definitely warmly dressed, having two kinds of underwear and a thick, wooly scarf. The boots were in good condition. I remarked that the hands were tied in the back with a sort of thick white rope; I should think about a quarter of an inch in diameter, possibly, and the string was cut right through the skin, nearly to the bone. That has surely happened after death.

Mr. FLOOD. At that point, you were describing that the hands of the body you were examining were tied with a rope, the nature of which you described. During your stay at Katyn, did you have occasion to observe that any other bodies found there were similarly tied?

Dr. TRAMSEN. Yes. I should think that the committee altogether, and I as well, saw some 800 dead bodies, out of which only a few were not tied with their hands on their back.

Mr. FLOOD. Did you happen to observe whether or not any of the bodies with the hands tied were tied with any wire?

Dr. TRAMSEN. Yes, I saw that in at least two cases, and, in some other cases, they were tied with leather straps—possibly, the soldier's belt.

Mr. FLOOD. You mentioned that the particular body that you were working on at the time was warmly dressed—woolen scarf, winter underwear, etc. During the course of your stay at Katyn and your observation of the other bodies, did you observe whether or not any of them wore overcoats?

Dr. TRAMSEN. Yes, most of them carried overcoats, some of a bit civilian kind—thick-skinned coats, and even a few fur coats in between.

Mr. FLOOD. Did you observe any of the bodies wearing leather jackets or knitted pull-over sweaters or that kind of thing?

Dr. TRAMSEN. I cannot remember having seen any leather jackets, but I have seen lots of woolly pull-overs and woolly knitted jumpers and things like that under the uniform jackets.

Mr. FLOOD. There is no doubt, at least in your mind, from your observations, that the bodies wore winter clothing?

Dr. TRAMSEN. No. They wore winter clothes.

Mr. FLOOD. Proceed.

Dr. TRAMSEN. The state of the body itself was in an extraordinary kind of decay. I would call it more or less mummified, and I may say that this has been caused by the immense pressure of the weight of hundreds of dead bodies and the tons of heavy sand over them.

Mr. FLOOD. Then you had occasion to observe the nature, the texture, and the color of the soil?

Dr. TRAMSEN. Yes.

Mr. FLOOD. Would you describe that?

Dr. TRAMSEN. It was yellowish, more or less dry, very sandy soil, with a rather deep ground-water stand. We observed water only in that grave which was lying lowest on the sloping hill. The yellow sand had some stripes of brownish color which might hold that lime was in the minerals in the ground, but I don't know much about that.

Mr. FLOOD. Doctor, you described in some detail the manner in

which the uniforms were upon the bodies as you observed them. Would you say from such observation, and from observations you have made in your medical experience of dead bodies containing clothing over a period of time, that these bodies had been buried in the uniforms as you saw the uniforms at the grave?

Dr. TRAMSEN. Yes, it is beyond doubt that they were buried in the uniforms in which they were found.

Mr. DONDERO. I think you mean at the time they were buried and not the time you found them.

Dr. TRAMSEN. I mean both.

Mr. FLOOD. So do I.

Doctor, you described in some detail the bodies as you saw them lying in the grave. Could you say from your observation of the bodies and the manner in which they were lying in the graves, that it indicated clearly a systematic arrangement of the bodies in the grave?

Dr. TRAMSEN. Yes. I can specially say that in some parts of the graves we found systematic order very clearly, especially along the sides and ends of the graves, more. Less, I should say, in the center.

Mr. FLOOD. Did you find or did you see any bodies in the graves or laid out when you were there that were not the bodies of Polish officers?

Dr. TRAMSEN. No, not in those seven tombs that were shown us by the Germans, but the Germans showed us some bodies that were extracted from other tombs in the same wood, lying a bit apart from those same tombs.

Mr. FLOOD. Did you find any bodies that from their insignia or dress or documentation or anything else would indicate that they were the bodies of clergymen?

Dr. TRAMSEN. Yes, I did. Yes, I saw at least three at the time I was there that were clergymen, carrying their black collar and the rosebuds and the cross as Catholic clergymen do.

Mr. FLOOD. Would it be obvious to military people, or people who had associated with military people, that the markings of the black collar—the rosebuds and the cross—would indicate that the wearer would be a clergyman or a chaplain of some degree?

Dr. TRAMSEN. Yes, I well imagine that they were military clergymen because they wore particularly uniforms and then these insignia I told you about.

Mr. FLOOD. In the particular graves in question did you see or did you hear that a female body in military Polish uniform was unearthed?

Dr. TRAMSEN. No, I have not.

Mr. FLOOD. Was it brought to your attention that there were gold teeth or gold dentures in any of the bodies?

Dr. TRAMSEN. There were very few gold teeth found in those bodies we saw.

Mr. FLOOD. There were some?

Dr. TRAMSEN. I have seen some, yes.

Mr. FLOOD. In looking at any of the documents or diaries or papers of any nature that you observed on your body or saw as having been taken from any others, did you have occasion to observe the dates with any particularity?

Dr. TRAMSEN. Yes. I have got two papers extracted from dead bodies, not the one I just did a post-mortem on, but from two others, with dates on them.

Mr. FLOOD. May I see those, please?

Dr. TRAMSEN. The one is evidently a Polish poem and apparently is signed Kozielsk, the 26th of April 1940.

Mr. FLOOD. The stenographer will mark these for identification as exhibits 66 and 67.

(The documents referred to were marked "Frankfurt Exhibits 66 and 67.")

(NOTE.—Subsequent examination of the two documents showed they were insufficiently legible for complete translation. Thus they are not included in this published report. The documents are in the committee's permanent file.)

Dr. TRAMSEN. You asked me if I had some more documents with dates on.

Mr. FLOOD. That is correct.

Dr. TRAMSEN. Another officer, a Capt. Ludwig Gajenski, was found in one of these tombs, and one of the German scientists, Dr. Huber, who did a post-mortem on this man, found this list in his pocket. It is a roll call list of officers of a fifth company of some artillery regiment and signed "Kozielsk, 12 April 1940." It contains a list of some thirty officers with their birthdays and their military rank, and what is interesting is that some ten or eleven of the names have been crossed out. Whether this means anything or not, I am not able to say, but possibly a Polish officer will be able to decipher the numbers written underneath in various groups.

Mr. FLOOD. Doctor, I take for granted that these documents we are now discussing were taken by you from bodies at the graves or else were given to you by others who took them from the bodies at the graves, and have been in your custody until they have been presented here this morning.

Dr. TRAMSEN. Yes, that is so, and if not extracted by me, the others I did not extract, I saw being extracted.

Mr. FLOOD. You saw them extracted yourself?

Dr. TRAMSEN. Yes, so I can definitely state that they have been extracted from the bodies.

Mr. FLOOD. The stenographer will mark this envelope for identification as exhibit 68.

(The envelope referred to was marked "Frankfurt exhibit No. 68" and placed in the committee files. A photograph is shown as follows:)

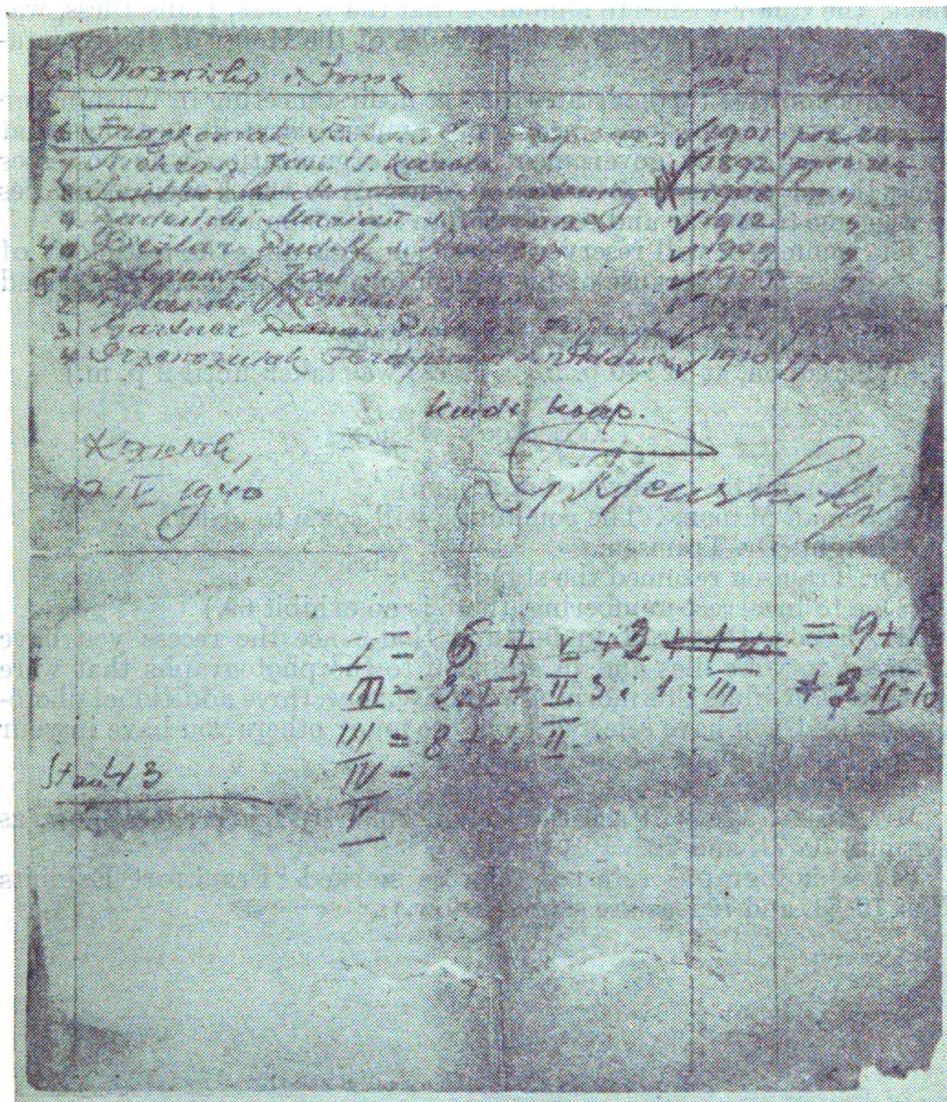
## EXHIBIT 68

Kamp 1 (5 komp)		2 komp	
1	Gajewski Lucjan J. Ignacy	✓	1891 kpl am
2	Skarpczak Jan J. Ignacy	✓	1904 kpl lek
3	Reiszorowski Antoni J. Józef	✓	1896 ppor rez
4	Julianowski Antoni J. Józef	X	1910 "
5	Schönfeld J. Józef	✓	1897 "
6	Justa Henryk J. Józef	✓	1890 "
7	Julianowski Antoni J. Józef	X	1890 "
8	Janowski Jan J. Józef	✓	1897 ppor rez
9	Janowski Jan J. Józef	✓	1885 ppor rez
10	Janowski Jan J. Józef	✓	1894 ppor rez
11	Janowski Jan J. Józef	X	1904 "
12	Kraus Piotr J. Józef	✓	1910 "
13	Krajewski Antoni J. Józef	✓	1887 kpl am
14	Janowski Jan J. Józef	X	1912 ppor rez
15	Janowski Jan J. Józef	X	1910 "
16	Janowski Jan J. Józef	✓	1906 "
17	Janowski Jan J. Józef	X	1890 "
18	Janowski Jan J. Józef	X	1887 "
19	Janowski Jan J. Józef	✓	1891 kpl rez
20	Janowski Jan J. Józef	✓	1901 ppor rez
21	Janowski Jan J. Józef	✓	1908 "
22	Janowski Jan J. Józef	X	1912 "
23	Janowski Jan J. Józef	✓	1909 "
24	Janowski Jan J. Józef	✓	1906 "
25	Janowski Jan J. Józef	X	1909 "
26	Janowski Jan J. Józef	✓	1911 ppor rez
27	Janowski Jan J. Józef	✓	1897 kpl rez
28	Janowski Jan J. Józef	X	1893 ppor rez
29	Janowski Jan J. Józef	✓	1896 ppor rez
30	Janowski Jan J. Józef	✓	1885 kpl rez
31	Janowski Jan J. Józef	✓	1915 ppor rez
32	Janowski Jan J. Józef	✓	1905 "
33	Janowski Jan J. Józef	✓	1912 "
34	Janowski Jan J. Józef	✓	1892 ppor rez
35	Janowski Jan J. Józef	✓	1901 ppor rez

Roll call list of officers with notation "Kozielsk, 12 April 1940."



## EXHIBIT 68—Continued



Mr. FLOOD. Doctor, I show you an envelope marked for identification as exhibit 68 and ask you to examine it and tell us whether or not it contains the list of officers taken from the body as you just described it?

Dr. TRAMSEN. It does.

Chairman MADDEN. I think we should recess now.

Mr. MACHROWICZ. Before the committee takes a recess, I would like to make a statement and I would like to have the interpreter take the statement and translate it into German.

My attention has been called to the fact that the witness that preceded Dr. Tramsen, namely, Hans Bless, before proceeding to testify, took his oath in a form not in accordance with the rules of this committee, and in such a manner, with gestures, as to raise the question as to its reliability. I, therefore, call the committee's attention to this matter and ask for a ruling as to the admissibility of his testimony and the weight to be given to it.



Chairman MADDEN. In answer to Congressman Machrowicz' statement, the Chair wishes to announce that the witness, Hans Bless, was not sworn in conformance with the rules of the House of Representatives.

The committee further states that, at its first meeting in Washington and on several occasions since, it has announced at its hearings that any witness or any government or any organization who possesses factual and pertinent information relating to the Katyn massacres is welcome to appear and testify before this committee.

The committee will reserve its decision regarding the testimony of the witness Bless because of his nonconformance with the prescribed congressional oath.

(The committee will reconvene at 2 o'clock.

(Whereupon, at 12:40 p. m., a recess was taken until 2 p. m.)

#### AFTERNOON SESSION

(The committee reconvened at 2 p. m.)

Chairman MADDEN. The committee will come to order.

All right, Dr. Tramsen.

(Dr. Tramsen resumed the stand.)

(Due to incorrect numbering, there is no exhibit 69.)

Mr. FLOOD. Doctor, I understand that since the recess you have referred to your files and in addition to the photographs that were marked as exhibits this morning you have, now, three additional photographs that you have selected from the many others you have in your possession as being especially pertinent.

Dr. TRAMSEN. Yes.

Mr. FLOOD. We will ask the stenographer to mark those, now, as exhibits 70, 71, and 72.

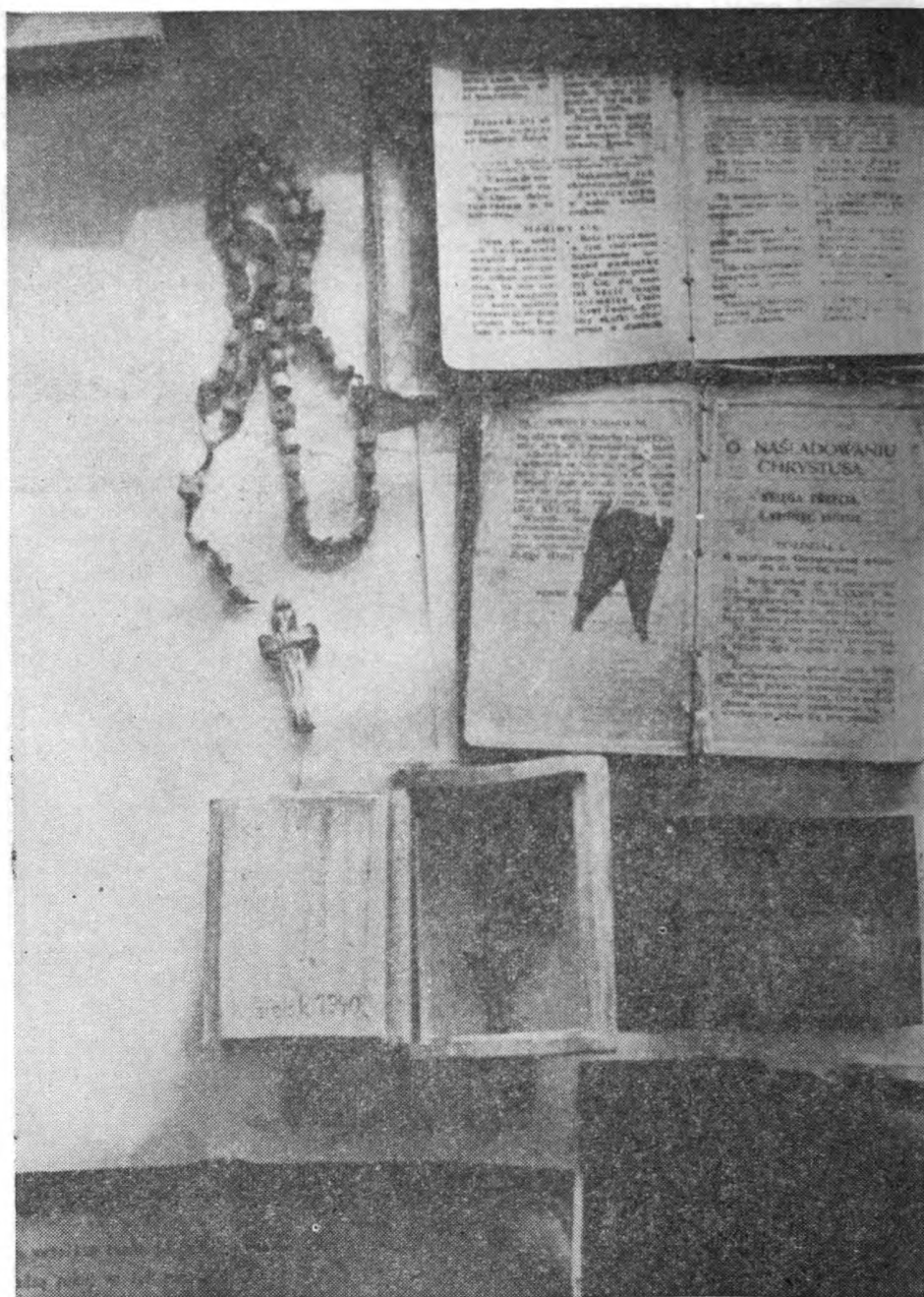
(The photographs referred to were marked "Frankfort Exhibits Nos. 70, 71, and 72," as are shown below.)

EXHIBIT 70



Skull of Polish officer showing entrance hole of bullet.

## EXHIBIT 71



Personal effects found on Katyn victims.

EXHIBIT 72



Body of woman found in another mass grave, not with Polish officers.

Mr. FLOOD. Now, I show the witness these exhibits marked 70, 71, and 72, photographs, and I ask you, witness, if you will identify them, please.

Just take 70 and tell us what it is, and then 71, and so on. Take all three and tell us what they are.

Dr. TRAMSEN. Number 70 is corresponding to the beginning of the medical examination of the dead body, and it shows the skull of a Polish officer. The soft tissues from the neck have been removed, and it is clearly to be seen in the picture that a pistol-shot wound in the occipital bone has entered the skull this way. You can see that, because the bones of the skull consist of an outer and an inner layer, between which you see, in the bone, small parts, and what is called cells. And a shot that enters the bone like that will make an absolutely round hole on the outside and a greater hole on the inside of the bone, and we have seen that in practically all of the skulls that were examined by cutting the bone through. That is all I want to say about this picture.

Mr. FLOOD. While we are discussing that picture—I was going to take the details of the post-mortems later, all at one time, but since you have a picture, this last exhibit, which indicates the point of entry and the condition of the skull at the time you found it insofar as the bullet wound is concerned, I am going to ask you now to demonstrate on the interpreter the point of entry and the point of exit of the bullet on that skull and any others that you examined.

Dr. TRAMSEN. In the soft tissues in this area back of the neck [indicating].

Mr. FLOOD. The witness is pointing to the back of the neck at the base of the skull of the neckline.

Now, Doctor, for the purpose of the record, and since this is a highly technical and a very scientific piece of testimony, I wish that you would forget that we are laymen, unless you have to translate later, and, as though you were addressing a collection of pathologists, will you describe, in technical, pathological terms, the analysis of the point of entry and the point of exit?

Dr. TRAMSEN. Yes. In the soft tissues, in this area we always found a lot of marking of black gunpowder, which has more or less been pushed into the skin because the shot has been fired with the muzzle straight touching the skin and pointed forward, upwards, with the exit of the gunshot near the right or left temple at the fore of the head [indicating].

Would you like any further demonstration of this?

Mr. FLOOD. I would like you to indicate which is the occipital bone.

Dr. TRAMSEN. The occipital bone is the bone going in this direction [indicating] carrying forward on to the base of the skull surrounding the hole for the central nervous system.

Mr. FLOOD. Now, you were indicating the point of entry in the nape of the neck into the bone structure of the occipital bone. Is there any other technical description you could give to that area which might be described as the foramen magnum?

Dr. TRAMSEN. No.

The exit of the bullet—would you like to hear anything about the exit of the bullet?

Mr. FLOOD. Yes. Tell us technically the scientific description of the point of exit and the description of the area in scientific terms, the physiological examination.



Dr. TRAMSEN. In practically all of the dead bodies we found the exit of the bone along the line of the hair border in the left or right temple, and only in one or two we saw the exit line lower, below the eye.

Mr. FLOOD. Were there any skulls upon which there was more than one point of entry or exit?

Dr. TRAMSEN. We saw one skull with two points of entry and exit.

Mr. FLOOD. But in most cases, as I understand it, there was only one point of entry and one point of exit.

Dr. TRAMSEN. Yes.

Mr. FLOOD. Did you open any of the skulls in your post-mortems for the purpose of examining the interior to determine the course of the bullet or the condition of the interior of the skull with reference to the course of the bullet?

Dr. TRAMSEN. Yes; I have done that myself in one case, this Captain Szyminski that I told you about.

Mr. FLOOD. Will you give us the results of your examination of the interior of the skull in the body you examined?

Dr. TRAMSEN. The direction of the bullet in that skull was such as it couldn't possibly have avoided a lesion, a serious lesion, of the bottom of the brain and the so-called medulla oblongata, the nerve center of respiration, with an absolutely deadly effect.

Mr. FLOOD. Doctor, you indicated to us earlier that you had been shown the remains of bodies in the area from older graves, which you described as older Russian graves.

Dr. TRAMSEN. Yes.

Mr. FLOOD. Did you examine the skulls or see the skulls of any of those bodies found in the much older Russian graves in the immediate area of the Katyn grave?

Dr. TRAMSEN. Yes; I did.

Mr. FLOOD. What did you find?

Dr. TRAMSEN. Yes; I have got a picture; exhibit 72.

Mr. FLOOD. The witness now refers to exhibit No. 72.

Dr. TRAMSEN. That is a picture of a dead body that I saw. The Germans dug it out of a tomb further into the wood.

Mr. MACHROWICZ. Did they dig it out in your presence?

Dr. TRAMSEN. Yes. It is a body of a dead woman, and the head is covered with a sort of sacking, and the hands are tied on the back with a string carrying up around the neck. And the cause of death was the same, the shot through the neck and out through the temple. From the state of the dead body it could be concluded that it must have been lying in the ground pretty much longer than the dead bodies we saw in the Polish officers' tomb.

Mr. FLOOD. There are two questions that I want to ask you in connection with this exhibit.

First, does the point of entry and the point of exit and the course of the bullet indicated thereby found on the skull of this female body that you have just described in the exhibit—were they similar to the points of entry and exit and the course of the bullets found in the skulls in the Katyn graves?

Dr. TRAMSEN. Yes, they were exactly similar.

Mr. FLOOD. By "the Katyn graves" I mean the Katyn graves of the Polish officers.

Dr. TRAMSEN. Yes, quite right.

Mr. FLOOD. And secondly, in the graves containing the bodies of the Polish officers, did you find any bodies where the heads were covered with sacking or coating and tied with a rope around the neck, similar to the body you have just described in exhibit No. 72 as having come from an old Russian grave nearby?

Dr. TRAMSEN. No; I have not seen that.

Mr. FLOOD. You have told us that many of the bodies of the Polish officers were found with their hands tied behind their backs, and you described them in a certain way. Were the hands of this female body that you describe in exhibit No. 72 tied in the same manner that the bodies of the Polish officers were tied in the graves at Katyn?

Dr. TRAMSEN. No, I have not seen them tied in that way, but, if I may refer to the picture exhibit 53, I will give you a description of how the hands, generally, were tied on the Polish officers.

Mr. FLOOD. Will you demonstrate again upon the interpreter the manner in which you saw the hands tied on the bodies of the Polish officers?

Dr. TRAMSEN. Yes. As you see on this picture, the hands were tied on the back with a tight loop of string on one wrist, carrying the strings over on the other wrist, around that one [indicating], and a loop around both hands, tied in a long tie with long loose ends, evidently giving a lot of rope for each.

Mr. FLOOD. You mentioned that some of the hands were tied with wire. I suppose the hands were found in about the same position on the back of the body when tied with a wire?

Dr. TRAMSEN. Yes, pretty well the same way.

Mr. FLOOD. Doctor, in your official and professional capacity as an expert and an experienced pathologist, did you ever have occasion to examine bodies where the cause of death had been bullet wounds or gunshot wounds?

Dr. TRAMSEN. Yes, plenty. We had a lot of murder cases during the occupation in Denmark, and I did the post-mortems on pretty well all those murdered by gunshots or shots.

Mr. FLOOD. From the nature and the condition of the gunshot wound, the kind of wound and its appearance upon the body, is it possible for an expert pathologist to determine whether or not that shot was proximate to the body?

Dr. TRAMSEN. Yes, that is absolutely possible because you would not find a complete tattooing of the skin with the gunpowder unless the muzzle had been put absolutely close to or on the skin itself.

Mr. FLOOD. Doctor, in the body you examined, and in any examination of other bodies that were at Katyn, but with particular reference to the one upon which you performed the post-mortem, would you be able to say, from the blasting of the skull, from the finding of the powder marks as you have described them, and from the course of the bullet, that this had been fired proximate to the skull?

Dr. TRAMSEN. Yes, I can; because in many of the cases we observed a very big blast effect on the skull, in some cases, with long lines of fractures, and in a few cases with a complete loosening of the top of the skull, which could not have been done unless gunshot had been fired straight at the skull itself.

Mr. FLOOD. For the reasons you have just given, in the language of a layman would you say that the shot fired into the skull of the body you examined, and of the others that you saw in the graves at Katyn, had been fired at a very close or a point-blank range?

Dr. TRAMSEN. There is no doubt that they have all been fired at point-blank range; all those I have seen, anyway.

Mr. FLOOD. Now, is it possible for a pathologist of your experience and training, examining thousands of bodies containing gunshot wounds, as you have, keeping in mind the nature and the type of the wound and the similarity in all cases of the point of entry and the point of exit and the course of the projectile—is it possible for a pathologist, under those circumstances, to say whether or not those shots had been fired by a practiced hand or hands?

Dr. TRAMSEN. No, I wouldn't say that, because you need not have much practice for doing that sort of thing.

Mr. FLOOD. Did you make any examination with calipers or any other instrument as to the diameter of the wound so that you might be able to tell the caliber of the projectile?

Dr. TRAMSEN. Yes; we have, and I have, too. We could say that the entry wound in the skull is a pretty good picture of the caliber of the bullet. And, furthermore, we found, in one of the dead bodies, a bullet in the front part of the skull. This is what I can show you on the picture, Exhibit 52. I saw this picture being taken in Katyn, and it shows a bullet clearly lying in the exit wound of the skull, and all of our examinations prove that they must have been shots fired with bullets of a caliber 8 millimeter.

Mr. FLOOD. Do you know enough about the science of ballistics, or are you acquainted with pistol ammunition sufficiently well to be able to say if that would resemble what ammunition people call a 7.65?

Dr. TRAMSEN. Just a moment, please, and I will tell you.

Yes; I think it is quite true that it might have been a caliber 7.65. Anyway, as we put it in the protocol, below 8 millimeter.

Mr. FLOOD. Did you see the bullet you just described, that was embedded in that skull, after it was extracted?

Dr. TRAMSEN. Yes; I saw it, but I did not measure that myself, and it looked exactly like an ordinary pistol bullet.

Mr. FLOOD. Did you see, when you were at Katyn, or was there shown to you in the graves, or described as having been taken from the graves, the shell cases of any of the ammunition supposed to have been used there?

Dr. TRAMSEN. Yes; I have seen them, but I cannot recall very much about them. There were many of them among the dead bodies in the tomb.

Mr. FLOOD. Did you ever hear them described, when you were there, as cartridge cases of German-make ammunition?

Dr. TRAMSEN. Yes; I have. Germans themselves told me they were of German origin, but, at the same time, they stated that a lot of ammunition for pistols and other hand weapons had been delivered to Russia before Russia entered the war.

Mr. FLOOD. But the fact remains that you were shown, at the Katyn graves, cartridge shells said to have been taken from the graves; you were shown these shells by Germans who told you two things, first, that the cartridge shells found by the graves were ammunition, pistol ammunition, of German manufacture, but that, frequently, that caliber of ammunition had been sold to Russians and others?

Dr. TRAMSEN. Yes; that is right.

Mr. FLOOD. Now, Doctor, did you notice personally, or were you advised by any of your other brother scientists, whether or not there

were any other wounds on any of these bodies other than pistol wounds?

Dr. TRAMSEN. Yes. We saw several bodies with typical wounds of bayonets in their backs, of a special square kind.

Mr. FLOOD. Did you examine the point of entry of the bayonet wound?

Dr. TRAMSEN. Yes; I did.

Mr. FLOOD. Would you say it could have been triangular or square?

Dr. TRAMSEN. I saw several that could be doubtful, but I saw, anyway, at least one that definitely was of a square kind.

Mr. FLOOD. Are you in a position to express any opinion as to the type of bayonet used by the Russian armed services about that time?

Dr. TRAMSEN. No; I did not know at that time, but I had later been told that the Russians used those of a square type.

Mr. FLOOD. Would that same statement be true, as far as you knew or have heard since, with reference to the type of bayonet used by the Russian armed services in 1940?

Dr. TRAMSEN. It is possible; I do not know.

Mr. FLOOD. How many bodies were post mortems performed upon by your group of scientists, about?

Dr. TRAMSEN. We did nine total post mortems, examining the whole body and organs and all signs of lesions and diseases.

Mr. FLOOD. Now, after all of these bodies, the nine of them, upon which the dissections were made by you and your colleagues, you told us that you were permitted to select any body you wished. Was the same true of your colleagues; if you know?

Dr. TRAMSEN. Yes; they were completely free to choose.

Mr. FLOOD. Now, I want to return to the examination of skulls for a minute and ask you whether or not any matter was brought to your attention by any of your colleagues, having particular reference to the internal examination of the skulls.

Dr. TRAMSEN. Yes. We examined several of the insides of the skulls which were brought to Smolensk from the tombs after the post mortems, and Professor Orsos of Budapest, who is a specialist in doing post mortems in regard to deciding the time of death, had instructed us as to a new manner of examining the inside of a skull which has been interred for a long time. I had read about this method but had never practiced it before.

Mr. FLOOD. Was this method important for the purpose of establishing the time of death of the corpse?

Dr. TRAMSEN. Yes; to a certain extent.

Mr. FLOOD. Will you just indicate to us what the method was, with particular reference to the brain pulp or calcium formations?

Dr. TRAMSEN. Yes. If a skull is left in the ground for a certain time, at least for 2 years, the pulp of the brain will sort of lay down in a compact mass at the lowest part of the skull, and if you cut the skull through, with the lowest part still lying low, then you will cut through this pulp of the brain lying at the bottom of the skull and notice certain layers of grayish and yellowish stripes formed by the various chemical parts of the brain, the liquids and the phosphoric acids and salts of various kinds, laying down in a special layer that you can notice. But, as Professor Orsos has stated, this will not take place unless the skull has been lying in the same position for at least

2 years, and we had noticed that symptom in several of the skulls that were cut through.

Mr. FLOOD. So that, could any of the substance that you have described as being present in the brain under those circumstances be described as a calcium type of formation of some nature?

Dr. TRAMSEN. Yes, I think so.

Do you mean a calcification in the brain pulp could have developed in a couple of years?

Mr. FLOOD. That is correct.

Dr. TRAMSEN. Yes, it can; and we saw that, too.

Mr. FLOOD. Could you say that the brain pulp remaining in that part of the skull after such a lengthy burial could be described as being of a claylike nature or a claylike state?

Dr. TRAMSEN. Yes. It was like rather heavily compressed clay.

Mr. FLOOD. Did you observe, or were any observations made by your brother scientists, or others, in your presence, with reference to the presence of or the lack of insects in the graves?

Dr. TRAMSEN. Yes. We had particularly been looking out for insects, eggs, mites, and ants, but we found nothing of that kind.

Mr. FLOOD. Could it be reasonably concluded, based upon that finding, that the bodies were buried at a time of the year which would be insect-free or perhaps cold?

Dr. TRAMSEN. Yes, indeed. And it corresponds very well to the observation that the lack of original decay was obvious, particularly when you take into notice the climate of that part of Russia, which is very hot in summertime and very cold in wintertime.

Mr. FLOOD. Did you examine, did you see, or was it brought to your attention at the time you were at Katyn, that any of the skulls or bodies had indications of a ricochet shot thereon?

Dr. TRAMSEN. No; I do not recall that.

Mr. FLOOD. The type of wound that perhaps might indicate that shot had been fired at such a body, ricocheted therefrom or there-through, and struck another body, which may have been lying nearby?

Dr. TRAMSEN. Yes; that I remember.

In one case we found a bullet sitting, so far as I remember, in the shoulder muscles of one of the bodies in the tomb, and this bullet had penetrated so slowly and so little in the body that it could not have been fired pointblank, or must have penetrated something else before, in any case.

Mr. FLOOD. Doctor, it has been indicated to the committee by a number of witnesses of various kinds that trees of a certain height had been planted in the area, had been seen in the area, and had been removed from the grave just immediately prior to the grave being opened, of these Polish officers at Katyn.

Dr. TRAMSEN. Yes; I remember seeing quite a lot of lines of young fir trees about the height of one-and-a-half foot, and I saw them stretching out from the graves because they had been removed when those graves had been opened possibly.

Mr. FLOOD. Were any observations made or comments made by your colleagues or others there at the time with reference to those trees, anything of any special significance, that you recall?

Dr. TRAMSEN. Yes. But I do not understand much of forestry, and I have no special knowledge about. But the Germans produced a German specialist, a forester, who showed us these trees in cuts.



Mr. FLOOD. Do you remember the name of the German forester?

Dr. TRAMSEN. Hafferer, or something like that. I don't quite remember the name, I am sorry.

Mr. FLOOD. If you heard the name, do you think you would recognize it?

Dr. TRAMSEN. Yes; I think so.

Mr. FLOOD. Could it have been Von Herff?

Dr. TRAMSEN. Yes; that is it.

Mr. FLOOD. What did von Herff say or do when you were there?

Dr. TRAMSEN. I cannot exactly remember that von Herff demonstrated the trees himself, but I can remember that Professor Buhtz gave a conclusion that the German forester had put up and stated on the examination of these trees.

Mr. FLOOD. Do you recall the nature of Dr. Buhtz's observations about the trees?

Dr. TRAMSEN. Yes. And it was clearly demonstrated under microscope that the growth rings of these trees had some sort of arrest, had a special place, which could be assembled from one cut to the other.

Mr. FLOOD. How many graves, if you know, were opened at the time you were at Katyn, about?

Dr. TRAMSEN. Seven graves, with Polish officers.

Mr. FLOOD. You do not include the other so-called older Russian graves?

Dr. TRAMSEN. No.

Mr. FLOOD. You gave us some details with reference to certain types and kinds of documents, doctor. Did you observe, for any reason, any particular date which could be called the latest date, that you know?

Dr. TRAMSEN. Yes. We saw Russian papers dated as late as the 20th of April 1940.

Mr. FLOOD. By Russian "papers" I presume you mean Russian newspapers.

Dr. TRAMSEN. That is right.

And I remember having been shown a diary from one of the Polish officers showing a date as late as the 21st of April, and that was the very last date we could find on any of the papers or books or diaries found in these graves.

Chairman MADDEN. Mr. Machrowicz.

Mr. MACHROWICZ. Mr. Chairman, in connection with the statement which I made to the committee just before adjournment, I have since that time been informed that the particular witness in question, namely, Hans Bless, has prepared a written statement which he wishes to present to the committee. I understand he may not be available later. I would like to ask the indulgence of the present witness if we could interrupt for a few minutes to take advantage of his presence.

I would like to ask the chairman that, in all fairness to him and in order to complete our record, he be permitted to present to the committee the statement which he has prepared.

**FURTHER TESTIMONY OF HANS BLESS, STEINHEIM, WESTPHALIA,  
GERMANY (THROUGH INTERPRETER VON HAHN)**

Mr. MACHROWICZ. Mr. Bless, do you have a statement you wish to present to the committee?

Mr. BLESS. Yes, I have. I have made a declaration in writing, which I would like to submit to the committee.

Mr. MACHROWICZ. Has anyone requested you for that declaration?

Mr. BLESS. No. I left immediately after I had testified; I left this building and went away on my own. I also had dinner on my own and went back to the hotel, from where I was taken here by car. But I have not been put under any pressure or no influence has been exerted on me in connection with this statement.

Mr. MACHROWICZ. Mr. Chairman, I would suggest that the letter be given to the interpreter and the interpreter can read it in the German language and translate it into English.

Mr. BLESS. I believe that my handwriting is not too good and I suggest that I read the German text:

To the congressional committee investigating the Katyn murders, in Frankfurt:

Subject: Declaration.

I regret very much that the committee took exception to the manner in which I gave my oath. Furthermore, as viewed from my side, I had not even thought about the manner in which this oath would have to be delivered. I immediately asked the interpreter what was going on when a certain unrest started among the audience. I did not understand why this happened.

I expressly wish to state that no political idea or the demonstration of any kind whatsoever was behind the manner in which I delivered my oath. It is the same way in which I always give my oath before German courts in criminal and civil cases, whereby, up to this day, no political question or controversy needed to be clarified. My attitude was never taken exception to.

This incident could, however, have been cleared at once if my attention had been drawn to it; whereupon, I would have acted in accordance with how I was expected to act.

The credibility of my statements may be substantiated from the fact that I declare that I was never a Member of the National Socialist Party, of the Communist Party, or of any of their affiliate associations. Should the manner in which I gave my oath be regarded as a Hitler or Nazi salute, I wish to state that I never gave the form of salute which was customary in the Third Reich with a tightly outstretched arm but with an arm held at an angle.

I put myself fully at your disposal for clearing up this matter and I would be grateful to you if you would make a statement to me.

Chairman MADDEN. I will say, Mr. Bless, that the committee is glad to receive your letter on this matter and that we will place your letter into the record. The committee wishes to emphasize that, in so doing, we do not recognize any political beliefs or countenance any political ideologies whatsoever that might be indicated by any overt action on the part of anybody rendering testimony.

So your letter is in the record and we are glad to have your explanation. Thank you very much.

Mr. FLOOD. Will you have the stenographer mark this envelope as "Exhibit No. 73"?

(The envelope referred to was marked for identification as "Exhibit 73.")

Mr. FLOOD. I show the witness exhibit No. 73 and ask him if that is in his handwriting?

Mr. BLESS. Yes.

Mr. FLOOD. Is that the statement you just read, in the envelope?

Mr. BLESS. Yes, it is.

Mr. FLOOD. We offer that in evidence.

Chairman MADDEN. Thank you, Mr. Bless.

(Exhibit 73 is a photograph of the letter which is in the committee files and is shown as follows:)

## EXHIBIT 73

Hans Bless

Hotel Frankfurter Hof

FRANKFURT AM MAIN

Telefon-Sammelnummer: Stadt 40451 · Auswärts 94141 und 94341 · Telegr.-Adr.: Frankhof Frankfurt/Main

Fernschreiber: 04 - 1443

23. 4. 52

An  
den Ausschuss der Untersuchungskommission  
der Katyn-Komode  
in Frankfurt/Main

z. Hd. Mr. Mitchell

Geb. Erklärung

Ich bedauere es außerordentlich, daß  
der Ausschuss Kurstorf an der Art der  
Abfertigung meines Eides nimmt.  
Dies ist mir so unehrlich, als von meiner  
Seite aus gesehen, ich nicht das ge-  
fragte mir über die Art der Abfertigung  
mache. Ich fragte lediglich den Herrn  
Sollmetscher, was eigentlich los sei,

Hotel ist nicht Absender

Roulette

SPIELBANK WIESBADEN

täglich ab 15 Uhr · IM FOYER DER STAATSOOPER · Baccara

OMNIBUSVERKEHR: Ab Frankfurt M. Hbf., Südseite, Savoy-Hotel: 14.45, 17.45, 20.15, 22.00, 1.00 Uhr · TELEFON 27685

Letter from Mr. Bless to Katyn committee.

## EXHIBIT 73—Continued

als eine gewisse Annäherung zum Rudi-  
 forum eintraf, diese war mir un-  
 verstanden. Ich erkläre ausdrücklich,  
 daß keinerlei politischer Gedanke oder  
 eine bestimmte Demonstration dieser  
 Ablegung zugrunde lag. Ich pflege auch  
 vor deutschen Gerichten diese Form  
 anzuwenden bei Straf- und Zivilprozessen,  
 wobei bisher niemals eine politische  
 Streitfrage zu klären war. Mein Verhalten  
 wurde niemals getadelt. Dieser Vor-  
 fall hätte aber sofort geklärt werden  
 können, falls man mich darauf  
 aufmerksam machte und hätte ich  
 mich dann völlig gemäß antwortend  
 verhalten können. Meine Ausführungen  
 dürften wegen ihrer Glaubwürdigkeit  
 dadurch erhärtet werden, daß ich sage,  
 daß ich niemals Mitglied der NSDAP, der KPD  
 oder einer ihrer Filialen war.

Wem

Letter from Mr. Bless to Katyn committee.



## EXHIBIT 73—Continued

dies mir als Hitlergoß-fischen  
 ausgelegt werden sollte, so darf ich  
 anführen, daß ich die im 3. Reich  
 übliche Goßform nicht mit gestreckten  
 sondern mit stark gebogenem Horn  
 damals anführte. Ich stehe für wei-  
 tere Klärung gerne zur Verfügung.  
 Für eine Gegenklärung wäre ich  
 dankbar.

Mit vorz. Hochachtung

Helge

## TESTIMONY OF DR. HELGE TRAMSEN—Resumed

Mr. FLOOD. Dr. Tramsen, will you return to the stand, please?

Doctor, did you ever talk to any Russian peasants who lived in the area of the Katyn graves at any time you were there?

Dr. TRAMSEN. No, I have not done that personally as I don't speak Russian.

Mr. FLOOD. Did you see any of your colleagues, or were you with them at the time any of them, in your presence, spoke to any Russians in the area?

Dr. TRAMSEN. Yes. In the afternoon on the very first day, Professor Orsos spoke to three Russian civilians, and the talk was translated by interpreters into German.

Mr. FLOOD. What was the nature or the gist of the conversation, if you recall?

Dr. TRAMSEN. Professor Orsos asked these Russians whether they had seen, in 1940, Polish prisoners of war being carried from Gniezdowo railway station to the Katyn wood, and at the same time, they told that they had heard a lot of shooting in the early morning hours in the Katyn wood area, but that the wood had been guarded by Russians for a long time and no civilians had been allowed into that special area.

And that is what I remember of these talks with the Russians.

Mr. FLOOD. Doctor, we would just like one more scientific and professional opinion with reference to the degree of decomposition of any of the bodies you observed individually or a mass condition of decomposition with reference of one body to another in such a mass, as to coagulation and congealing.

Dr. TRAMSEN. I am sorry to say I have not got much experience according to mass graves, but from what I have been told and what I have read about before, the bodies interred in such graves must have been left there for a considerable time to be compressed and congealed in such a manner as they were here.

Mr. FLOOD. Would these circumstances and degrees of decomposition that you have just mentioned permit the conclusion of a contemporaneous burial, all at one time?

Dr. TRAMSEN. Yes. They were all decayed and compressed to such a degree and in the same manner that one could conclude that they must have been buried pretty well at the same time.

Mr. FLOOD. Do you remember a member of the International Medical Commission, a colleague of yours, from Bulgaria, one Dr. Markov?

Dr. TRAMSEN. Yes.

Mr. FLOOD. Do you remember whether or not Dr. Markov expressed any opinions with reference to who might have been responsible for these murders; what country, what people?

Dr. TRAMSEN. Yes. I spoke quite a lot to Dr. Markov in Smolensk and later in Berlin, and I am of the absolutely complete idea that he meant the Russians had done these murders. And so far as I remember, he said it directly at several occasions.

Mr. FLOOD. You have no doubt about that, Doctor?

Dr. TRAMSEN. That is quite correct.

Mr. FLOOD. Did Dr. Markov, to you or to anyone in your presence, then indicate that he was under any kind of duress or compulsion or threat from the Germans because of his position on this commission with you?

Dr. TRAMSEN. No; not at all.

Mr. FLOOD. You are aware, are you, that Dr. Markov has subsequently recanted his signature of this international medical protocol and states that he was forced by the Germans to participate and to sign?

Dr. TRAMSEN. Yes; I have been told that. But at the final meeting in Smolensk, nevertheless, Dr. Markov signed, as you see his personal signature here, the protocol that we concluded in stating that the shooting of the Polish officers must have taken place in the months of March and April of 1940.

Mr. FLOOD. Doctor, were you placed under any duress, direct or indirect, at that time by the Germans or by your own Danish Government and forced, against your will or with promise of advantage or gratuity, to participate in this investigation?

Dr. TRAMSEN. No; I did not. I took part in the commission on my own free will and have never been under any stress during those days by the Germans, the Danish Government, or any other authority.

Mr. FLOOD. Did you have the full cooperation of the German authorities during your scientific examinations of these bodies at Katyn?

Dr. TRAMSEN. Yes. I had the absolutely free allowance to move about, take pictures with my own camera, and was assisted by the

Germans in any way during my scientific examinations and autopsies of the bodies.

Mr. FLOOD. Were you prevented by the Germans at any time from doing any particular thing you wanted to do?

Dr. TRAMSEN. No; not at all.

Mr. FLOOD. As far as you know, was the same cooperation extended to your brother scientists on this commission?

Dr. TRAMSEN. Yes. They were all given the same facilities.

Mr. FLOOD. Have you been placed under any duress, or have you been the recipient of any promise by your Danish Government today, or by the West German Government, or by the Government of the United States, or anybody else, to appear here today?

Dr. TRAMSEN. No. I did that on my own free will.

Mr. FLOOD. From your examination, made as you have described in this length and detail, of the bodies in the graves at Katyn, is it possible for you to reach a conclusion as to the cause of death?

Dr. TRAMSEN. Yes. In all the cases I saw, which amounted up to nearly 800, it was undoubtedly, in every case, a rank murder and could not have been suicide or any other way of cause of death.

Mr. FLOOD. What was the nature of the instrument used in the murder, and what was the direct cause of death?

Dr. TRAMSEN. The way of murder was done by shots with pistols, at pointblank, and the cause of death was mortal lesions of the brain and the main nerve, consisting of the nerve centers for the respiration and circulation.

Mr. FLOOD. Is it possible, from the testimony you have given and from your experiences at Katyn, to approximate the date of death and the date of burial of the bodies you saw there?

Dr. TRAMSEN. From a medical point of view, that will be very difficult, but from the examinations of the decaying of the dead bodies, it can be concluded.

Mr. FLOOD. What is your conclusion?

Dr. TRAMSEN. First, that the murders and the burial must have taken place in a cold time of the year, in the winter or early spring, and, second, that the dead bodies must have been buried in these graves for at least 2 years, possibly anything up to 5 or 10 years.

Mr. FLOOD. Would it have been possible, for those reasons, under your conclusions, for those bodies to have been buried in March or April of 1940?

Dr. TRAMSEN. Yes; that is possible.

Mr. FLOOD. We offer in evidence all exhibits now up to and including No. 73.

Chairman MADDEN. Mr. Dondero.

Mr. DONDERO. Doctor, I have just one question.

You have told this committee that you examined the cord or rope with which the hands of these men were bound. Was that cord or rope flat or round?

Dr. TRAMSEN. I think it was a round woven cord, made of rather whitish sort of cotton thread.

Mr. DONDERO. Did you make a personal examination of it, or just a casual examination of the cord?

Dr. TRAMSEN. I have examined one of them very closely and brought one with me back to Denmark, and I have previously, about a year ago,

put it at the disposal of the committee by Mr. Arthur Bliss Lane, who took it back with him to the United States.

Mr. DONDERO. Would it be possible that it was flat, like a shoestring?

Dr. TRAMSEN. I can't remember.

Mr. MITCHELL. I would like to have the record show that Mr. Arthur Bliss Lane has offered that rope to this committee.

Mr. DONDERO. Arthur Bliss Lane was either at that time or later the Ambassador from the United States to Poland; is that correct?

Dr. TRAMSEN. Yes, that is correct; not a year ago but further back, about 3 years ago I think he was.

Mr. DONDERO. That is all.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. Doctor, have you been aware of or have you read the report of the Russian medical commission that made a report in January of 1944?

Dr. TRAMSEN. Yes, I have.

Mr. O'KONSKI. I would like to pick out some of the statements in that report and would like to have your comment on them, if possible.

One of the statements in their report is as follows: that only 20 out of 925 bodies had their hands tied behind their backs—speaking of the bodies that they dug up from the graves.

Does that square with the facts that you saw? That is only one out of every 50 bodies that had their hands tied behind their backs.

Dr. TRAMSEN. No; that is definitely incorrect.

Mr. O'KONSKI. They make much of the fact, in their report, that only 20, or about one out of every 50 bodies, had their hands tied behind their backs. That is incorrect, is it, according to your observation?

Dr. TRAMSEN. Yes. I saw only a few that were not tied.

Mr. O'KONSKI. Another statement that they make much of in their report is as follows:

In 1943, the Germans made an extremely small number of post-mortem examinations.

Does that square with the facts?

Dr. TRAMSEN. No.

You see, at that time the German commission had already done a lot of post mortems, and about 800 identifications, and we checked these identifications and raised the post mortems with another nine, with a total autopsy of the bodies.

Mr. O'KONSKI. Another part of their report states that although, in the post mortems, the coats and the shoes were cut for the removal of documents, after they dug up the bodies they still found many documents on the bodies.

Is that very likely to have happened?

Dr. TRAMSEN. Which dead bodies are those the Russians are speaking about; those the Germans had already examined?

Mr. O'KONSKI. The same bodies.

Dr. TRAMSEN. So far as I could see, the examination of the dead bodies was very thorough, and all papers and identification marks were removed from the dead bodies and checked in the German reports.

Mr. O'KONSKI. Another part of their report states that in spite of the search by the Germans for documents, they still left, on some of the bodies, the same bodies, some documents, including diaries.

Is there any likelihood that your commission or the Germans would have buried back any diaries with those bodies?

Dr. TRAMSEN. No. I think that is very unlikely because the German examination was very thorough and they were particularly interested in diaries that could give personal reports from the prisoners of where they had been captured and in which camp they had stayed and what had happened to them altogether.

Mr. O'KONSKI. When it comes to the cause of death, the shooting, the Russian report and your report are almost identical; the only other part where they disagree with your report is the extent of decay. And this Russian medical commission claims that the deaths were sometime in the early fall of 1941. Is that possible?

Dr. TRAMSEN. From a medical point of view, I wouldn't say it would be impossible. As I tell you, we could reckon that the dead bodies must have been in there 2 years, for at least 2 years. That makes exactly 2 years, at the spring of 1941.

Mr. O'KONSKI. They claim it was the fall of 1941.

Dr. TRAMSEN. I should hardly think so, because it is not anywhere close to what could have been possible.

Mr. O'KONSKI. Doctor, before the war, in your study of pathology, you had an opportunity to become acquainted or have heard or read of almost every expert on pathology in Europe, have you not?

Dr. TRAMSEN. Yes; if I may say so.

Mr. O'KONSKI. These medical men that you attended this exhumation with at Katyn, you had heard most of those names as being experts before you got over there, did you not?

Dr. TRAMSEN. Yes. I knew a few of them personally before.

Mr. O'KONSKI. Did you ever hear or become acquainted with in reading, writing, mail, or personal contact or conversations, or did you have occasion to meet any Russian experts on pathology?

Dr. TRAMSEN. No.

Mr. O'KONSKI. You never had?

Dr. TRAMSEN. No; I never had.

Mr. O'KONSKI. You never heard of the name of V. I. Prozorlobsky as being an expert on pathology?

Dr. TRAMSEN. No.

Mr. O'KONSKI. Did you ever hear of the name of V. M. Smolyanobov as being an expert on pathology?

Dr. TRAMSEN. No.

Mr. O'KONSKI. Did you ever hear of the name of D. N. Vyropaybe as being an expert on pathology?

Dr. TRAMSEN. No.

Mr. O'KONSKI. Did you ever hear of the name of P. S. Smemevosky as being an expert on pathology?

Dr. TRAMSEN. No; I did not.

Mr. O'KONSKI. Or did you ever hear of the name of M. D. Shviakova as being an expert on pathology?

Dr. TRAMSEN. No; I did not.

Mr. O'KONSKI. In other words, Doctor, those names are all strange to you, are they not?

Dr. TRAMSEN. They are all strange to me.

Mr. O'KONSKI. Together with Dr. Markov, do you remember a Dr. Hajek of Czechoslovakia who was with you on the commission?

Dr. TRAMSEN. Yes.

Mr. O'KONSKI. In your conferences and meetings with Dr. Hajek of Czechoslovakia, what was his reaction to the cause of the crime at Katyn and when it was committed?

Dr. TRAMSEN. Professor Hajek was a professor of legal medicine in Prague and he did a post mortem himself and took part in the committee's meetings, and he was of absolutely the same idea as the other members and signed the protocol personally with the same impression that the murder has been done by the Russians as stated in the protocol.

Mr. O'KONSKI. Have you heard rumors that he has also recanted the signing of that?

Dr. TRAMSEN. That I know. I was told that last night and I have heard and read in the papers previously that he has taken back his statement and given a completely other idea about the whole Katyn affair.

Mr. O'KONSKI. Did that news surprise you, after talking to him as you did at this investigation at Katyn?

Dr. TRAMSEN. Yes; it certainly has astonished me.

Mr. O'KONSKI. It is interesting to note from the signing of that protocol, just from the standpoint of chronology, that both Dr. Markov and Dr. Hajek signed the protocol before you did. Therefore, if they did it under duress, it seems strange because they signed it before you did. You were among the last to sign the protocol.

Dr. TRAMSEN. I was not quite aware of that because I think we signed it all pretty well at the same time. So far as I remember, we were produced a copy of the protocol that evening we finished our meeting in Smolensk and we signed it then and, on our way back to Berlin and the landing at Bialistok, were produced a copy each to sign for each other.

Mr. O'KONSKI. In other words, Doctor, the opinion among the 12 of you medical experts was such that it made no difference who signed it first? You were all unanimously agreed, willingly, without duress?

Dr. TRAMSEN. Yes.

Mr. O'KONSKI. That's all.

Mr. DONDERO. Dr. Tramsen, who prepared the protocol?

Dr. TRAMSEN. We had a meeting in Smolensk, which was led by Professor Buhtz, the German, and the written way of the conclusions was suggested by Professor Orsos, and corrected or edited by all of us giving our statement each. So we had written down, all of us, in our own writing, the copy of the conclusions and it was later copied by the Germans so we could see that it was correctly written before the signature was made.

Mr. MACHROWICZ. Doctor, prior to your designation to this committee, were you an active member of any political party or an active supporter of any political ideology in Denmark or outside Denmark?

Dr. TRAMSEN. Well, I must confess that I had my own political ideas, but it was in neither one direction nor the other. It was only anti-German because we had a German occupation, and at the time when I took part in this committee, I had been a member of the Danish resistance movement for about 1 year.

Mr. MACHROWICZ. So then, there was nothing in your past activities or any political statements which would indicate at the time of your



appointment any particular sympathies toward the German cause, is that correct?

Dr. TRAMSEN. No. I should rather say the opposite.

Mr. MACHROWICZ. Before you accepted your appointment on this committee, did you converse with anyone else in Denmark other than those people whom you have already testified to?

Dr. TRAMSEN. Yes; I did. I made contact with two of the best men in the Danish resistance movement and put the case in front of them and they suggested that I should go because it would be of general interest to know what had taken place in Katyn.

Mr. MACHROWICZ. Anyone besides those?

Dr. TRAMSEN. No, but I may add that to prove that I did not have any special German sympathies, I continued my work in the Danish resistance movement after I came back and was taken prisoner by the German Gestapo and held for 1 year in a concentration camp—the last year of the war.

Mr. MACHROWICZ. All right now, you arrived in Berlin, as you testified. Whom did you see in Berlin in connection with your mission?

Dr. TRAMSEN. As I may show you on this photograph, the commission took part in a meeting with the German Reichsgesundheitsamt Fuehrer Dr. Conte in his office, and here the protocol was handed over to Dr. Conte by the joint committee and Professor Orsos in person.

Mr. MACHROWICZ. Did all the members of the committee participate in that meeting?

Dr. TRAMSEN. Yes; all the members took part in that meeting.

Mr. MACHROWICZ. Was there anything said or done at that meeting which you could interpret as an attempt to influence, advise you, or compel you to do anything against your own wish?

Dr. TRAMSEN. No; not at all. The meeting took place under very friendly forms and the committee just handed over the protocol to Dr. Conte who thanked us for the work and nothing else.

Mr. MACHROWICZ. Did you see anyone else in Berlin in connection with your mission?

Dr. TRAMSEN. Only scientific people. We visited the University of Berlin Forensic Medical Institute and met a lot of German doctors and specialists, but we did not have any official meeting anywhere else in Berlin.

Mr. MACHROWICZ. After you arrived in Smolensk, were you then met by anyone and given any instructions or warnings of any kind which might be considered by you as any undue pressure upon you?

Dr. TRAMSEN. No; we were met at the airport with quite a lot of high German officers, General Holm and Professor Buhtz, and a lot of German military doctors, and at the first meeting they stated we could move about freely and do all examinations we wanted to do in the Katyn area freely. They just did advise us not to walk around very much alone in the town of Smolensk, which we didn't feel very much like doing either.

Mr. MACHROWICZ. Were those orders ever changed?

Dr. TRAMSEN. No.

Mr. MACHROWICZ. Did you receive any compensation or reward of any kind, monetary or otherwise, for your services in connection with this matter.

Dr. TRAMSEN. No; I did not.

Mr. MACHROWICZ. Have you read Dr. Hajek's complete statement of March 10, 1952, as reported by the Tass Soviet Agency?

Dr. TRAMSEN. No; I have not.

Mr. MACHROWICZ. In that statement, he claims that most of the members of your committee were not well conversant with the German language and, therefore, could not understand what they signed. Can you comment on that statement?

Dr. TRAMSEN. I know only one of the so-called members that did not speak German very well. That was a Frechman and he didn't take part in the committee's meetings nor the signature of the protocol.

Mr. MACHROWICZ. He was not a member of the committee, was he?

Dr. TRAMSEN. He was not an actual member. He was only, as the Germans said, a Voelkischer Beobachter.

Chairman MADDEN. What was he in English?

Dr. TRAMSEN. He was a psychologist.

Chairman MADDEN. No, this remark that they made.

Dr. TRAMSEN. That is a German joke because Voelkischer Beobachter is the name of an official Nazi paper and means public observer.

Mr. MACHROWICZ. He states also that he was forced under duress to accept this assignment and was told that he might be placed in jail unless he accepted it. Was there anything that he said to you or to anyone else that indicated that was true?

Dr. TRAMSEN. No; not at all.

Mr. MACHROWICZ. Did you have occasion to have conversations with Dr. Hajek?

Dr. TRAMSEN. Yes, I had.

Mr. MACHROWICZ. And were those conversations just the two of you or were there others present?

Dr. TRAMSEN. On several occasions I spoke to him personally, one to the other, because I was interested to know the conditions in Prague in the university at that time.

Mr. MACHROWICZ. Did he ever give you that impression as now made in his statement?

Dr. TRAMSEN. No; certainly not.

Mr. MACHROWICZ. He states further that the first thing that struck him after he arrived at the scene was the fact that it all appeared as a prearranged affair.

Dr. TRAMSEN. It must have been a mighty big arrangement anyway. I never saw anything like that.

Mr. MACHROWICZ. He states further that on the basis of his observations "and the work done by me upon several bodies, I immediately, with all positiveness, confirmed the fact that these bodies could not have been there 3 years, as the Hitlerites claimed, but only a short time—not more than 1 year." Now, did he ever make that statement to you?

Dr. TRAMSEN. No. I do not know anything at all about that and he stated quite another thing when he signed the protocol himself and he took part in the discussion in the committee that last evening in Smolensk, and he totally agreed with us that the bodies must have been in these graves for at least 2 years—possibly longer.

Mr. MACHROWICZ. Now, he stated further that he found in many instances the fingers, the nose, the lips, and even the skin, in a good state of preservation which would indicate that the bodies could not have been there 3 years. What did he say about that?

Dr. TRAMSEN. I must say that there was a certain decay of the dead bodies, including skin, noses, and lips, and this decay was particularly developed in those bodies lying at the outside of the graves, while those bodies lying in the midst of the heap were very well preserved. As you could think when there would be no bacteriological decay because of the weight of the dead bodies, the pressure, and the weight of the tons of sand again, which has worked the whole thing out like pressed meat, with no air and no opportunity for the bacteria to work and accomplish the decay on noses, lips, and fingers.

Mr. MACHROWICZ. Did he ever indicate to you or to anyone else in your presence that those factors I have just mentioned were indicative of the fact that the bodies were not there as long as claimed in your report?

Dr. TRAMSEN. No. We were all of the same opinion that the dead bodies must have remained in the graves for at least 2 years.

Mr. MACHROWICZ. He points also in his statement to the fact that the buttons and other brass items on uniforms did not show sufficient rust to indicate that the bodies had been in those graves the period of time your report claims they were. Do you remember that factor?

Dr. TRAMSEN. The buttons and the insignia on the uniform caps and various other metal parts were, for the greater extent, in a good condition. They were made of pewter or aluminum, which, as far as I know, do not get rusty.

Mr. MACHROWICZ. He states further that in some cases he found tobacco which was still of its natural color and had not lost its odor, which indicated it could not have been there long. Was your attention called to any such instance?

Dr. TRAMSEN. Well, I have seen several tobacco purses and pipes, and even purses with cigarette paper and cigarette tobacco, but this tobacco was mainly in a bad state—brownish and of a very bad smell. I wouldn't like to smoke it, anyway.

Mr. MACHROWICZ. Now, he says further that one of the matters that struck him immediately was the fact that the bayonet wounds were not as deep as they would have been if Russian bayonets had been used because Russian bayonets were sharper and longer. Now, has that been brought to your attention, or did you notice anything about that?

Dr. TRAMSEN. I can only remember one case during the autopsies where a bayonet wound was really made clear, and that was a rather longish wound, as I told before, square in the outline and going under the right shoulder, right deep through the lung. If that is possible for a Russian or any other bayonet, I shall not be able to tell the difference there, but it was, anyway, a rather deep bayonet wound.

Mr. MACHROWICZ. I might say that in his statement he does concede that the former Russian bayonets were four-cornered and would produce a square opening. Is that the kind of opening you saw?

Dr. TRAMSEN. Yes.

Mr. MACHROWICZ. Now, in all your time with Dr. Hajek, do you remember him at any one single instance calling to your attention or to the attention of the other members of the committee in your presence these facts which I have now outlined and which he includes in his statement?

Dr. TRAMSEN. No; I have not heard Professor Hajek at Smolensk give any evidence in that line he has just done lately.

Mr. MACHROWICZ. That's all.

Mr. O'KONSKI. Dr. Tramsen, when you got back from this trip you were delegated to go on to Katyn, were you approached by the then German Government to enlist with them in some lecture tour or propaganda tour? Would you care to make any comment on that, if that happened?

Dr. TRAMSEN. Yes. I was called to meet the German High Commissioner in Denmark, Dr. Best, who very strongly put it to me that it was necessary that I spread the details about these observations among the Danish population.

Mr. O'KONSKI. Did these officials of the then German Government offer you any remuneration if you would participate in any such political activity?

Dr. TRAMSEN. Yes; they did. Not the official German Government, but at that time in Copenhagen the Main Institution for German Culture. They offered me rather a big reward for going about making lessons and demonstrations about the observations in Katyn.

Mr. O'KONSKI. Would you care to mention to this committee the extent of the remuneration that was offered and the other enticement that was given—roughly?

Dr. TRAMSEN. Yes. Quite a good offer in money, extending to—well, I may say, about \$50 for each lesson.

Mr. O'KONSKI. Well, in every instance, you refused to participate in that type of propaganda activity or political activity after you returned from Katyn?

Dr. TRAMSEN. Yes. I did not make any public or any other statement about my observations although I was very well attacked by a lot of reporters. This is the first time I give a public statement on my observations on my Katyn travel for this committee now today.

Mr. O'KONSKI. Doctor, one more question:

Do you think you might have been spared 1 year in a German concentration camp if you had participated in accepting the offer which they made to you?

Dr. TRAMSEN. No; but I am sure I had a very easy escape with that 1 year after what happened to my fellow patriots.

Mr. O'KONSKI. In other words, Doctor, it is safe to say, is it not, that your interest in Katyn was purely one of honor in regard to your profession, which was medicine, and not political in any manner, shape, or form?

Dr. TRAMSEN. That is so.

Mr. O'KONSKI. In that respect, I want to say that you are a credit to the medical profession.

Chairman MADDEN. Any more questions?

Now, Doctor, if there is any more that you wish to add to what you have already said, the committee would be glad to hear you.

Dr. TRAMSEN. I don't think I have anything more to add.

Chairman MADDEN. On behalf of the committee, I want to say that we appreciate your great sacrifice in coming here today. We fully realize that your business has been neglected, by reason of taking time to come down to Frankfurt. Your testimony has been very valuable in fixing the time of the burial of these bodies at Katyn, and this committee owes you a debt of gratitude in contributing facts concerning this international crime.

Thank you very much.

Dr. TRAMSEN. Thank you very much for having listened to me.  
Chairman MADDEN. Dr. Wilhelm Zietz.

**TESTIMONY OF DR. WILHELM ZIETZ (THROUGH THE INTERPRETER  
ARTHUR MOSTNI)**

Chairman MADDEN. Do you have any objection to being photographed?

Dr. ZIETZ. No; I do not.

Chairman MADDEN. Give the reporter your full name and address.

Dr. ZIETZ. Dr. Wilhelm Zietz, Wesseldueren/Holstein, Suderstrasse 26.

Chairman MADDEN. Doctor, I'll read a statement.

Before you testify, it is our wish to invite your attention to the fact that under German law you will not be liable for slander or libel, either in criminal or in civil proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as a result of your testimony.

Do you understand that?

Dr. ZIETZ. Yes.

Chairman MADDEN. You will stand and be sworn, Doctor.

Do you swear by God the Almighty that you will, according to the best of your knowledge, tell the truth, the whole truth, so help you God?

Dr. ZIETZ. I do, so help me God.

Mr. FLOOD. What is your name?

Dr. ZIETZ. Wilhelm Zietz.

Mr. FLOOD. Were you formerly identified with the former German Government?

Dr. ZIETZ. From 1939 through 1945 I was with the Reich Health Service and the Reich Chamber of Doctors.

Mr. FLOOD. In 1943, what was your official title with the then German Government?

Dr. ZIETZ. I was Deputy Chief of the Reich Public Health Service and Reich Physicians' Chamber with the Foreign Office.

Mr. FLOOD. Who was your chief?

Dr. ZIETZ. Dr. Conte.

Mr. FLOOD. What was his title?

Dr. ZIETZ. Reich Leader of Public Health Service and Secretary of State.

Mr. FLOOD. I direct your attention to the year 1943 and ask you when and under what circumstances was the Katyn matter brought to your attention in your official capacity?

Dr. ZIETZ. We of the department first heard a radio address of former Reich Minister Dr. Goebbels who broadcast to the public for the first time that a massacre beyond imagination had been discovered at Katyn. To the best of my recollection, it must have happened within the first 14 days of the month of April. Subsequently, I learned that it was Professor Buhtz who was in charge of the exhumations at Katyn. Professor Buhtz just happened to be a good old friend of

mine since the days of our common studies. I knew him to be a very reliable scientist of extremely good character.

Subsequently, I called him at Smolensk and asked him what I should believe of this report. He told me over the phone that discoveries of extreme importance had been made in connection with gruesome executions of former Polish officers, and that it was his opinion that the Russians had been those who committed the executions. He told me, however, that the figures indicated by Dr. Goebbels did not square with the truth. In fact, those figures were less, and this fact, he told me might perhaps be explained by the fact that about 11,000 or 12,000 Polish officers were still missing.

I asked him whether or not it would be desirable to dispatch a committee of international scientists to the scene which he answered in the affirmative.

I subsequently proceeded to Dr. Conte who gave me an absolutely free hand to act, provided that both of us would agree upon the dispatch of an international committee being desirable.

I subsequently proceeded to the Foreign Office and the cultural political department which, in fact, was competent for such affairs and I discussed with the cultural political department the expediency of such an international committee. The cultural political department of the Foreign Office right away agreed to it.

Subsequently, someone spoke over the phone with Foreign Minister Ribbentrop at Fuschel—I don't know any more who it was—and received on the next day already his complete agreement.

It was agreed upon that the host would be the Reich health leader so as not to give a political tang to this whole affair, and the Foreign Office had nothing to do but merely convey the invitations of the Reich health leader to all people—friendly nations, neutral nations, as well as our allies. In case they were occupied territories, appropriate German occupation authorities were contacted who, in turn, conveyed the messages to the proper local agencies. In essence, the Foreign Office was responsible for the conveyance of most of these invitations to foreign countries. It all went very fast, and, if I am not mistaken, during the latter days of April 1943, we had collected all the participants in Berlin. Eventually, it is a well known fact, we had 13 countries participating, 12 representatives who felt they had full authority to act, and a thirteenth, as Dr. Tramsen already testified, the representative of the French Vichy Government, who felt he was merely competent as an observer.

I no longer possess any written documents which I might refer to, such as Dr. Tramsen possessed in huge quantities, so I have to rely upon my power of recollection and particularly so as I haven't seen the white book ever since 1945.

All our guests were quartered at the Adlon Hotel in Berlin and, up to the time of their leaving for Smolensk, they were taken care of by myself there.

The flight to Smolensk must have taken place on the 27th or 28th of April. Dr. Tramsen would be in a better position to know that. I wouldn't know any more. I was taking care of the guests by asking every individual guest as to his wishes and desires, and sometimes also attending to dinner parties or supper parties and also inviting a series of German physicians to attend, as, for instance, Dr. Mueller-Hesse.



Mueller-Hesse was Berlin's most prominent doctor of forensic medicine and still is today. He, subsequently, too was at Katyn.

Neither the Foreign Office nor Dr. Conte had given us any instructions as to Katyn. I was officially instructed to accompany the committee and to take care of all their desires. There was no discussion whatever of a protocol or any kind of agreement or stipulation because none of us knew what we had to anticipate at Katyn. We flew to Smolensk in a Condor plane. There was a stop-over sometime in Brest-Litovsk where we had breakfast. There was nobody present but an observer of the Foreign Office, whose name, however, I don't know and who actually did nothing at all but just observe, so that most likely, the members of the committee did not get to know him at all. There was also a female doctor from Berlin/Lichtenfelde traveling along, whose name I indicated to the committee at Godesburg some time ago. That was the desire of some ministry. Neither I nor she knew why she came along. Actually, she was not anxious to go there to see what there was to see. Then there was a photo reporter in order to take snapshots. To the best of my knowledge, his name was Pabl, but I believe he was killed in action. He is no longer alive.

In Smolensk we were greeted by a general surgeon, Dr. Holm. Recently at Godesburg I said that to the best of my recollection his name was Reinhardt, because I could not properly recollect. I want to correct that statement: his name was Holm, and he is purportedly still alive.

In addition, there was a number of members of the German Army, principally doctors.

We were escorted to a so-called hotel at Smolensk. It was a hotel of which the Russians boasted, which consisted of nothing but a facsimile, and which was so dreary that you actually couldn't expect to find anything else in a destroyed town.

In the evening, as every day, we had supper at the casiono of the general surgeon. Dr. Holm took very much care of foreign guests, and during the meeting in the evening he promised every freedom of movement during inspection or survey, and placed every support and every cooperation of the army group central at their disposal. We did not see Field Marshal General von Kluge. On our way to Smolensk we constantly had to pass by his residence. It was called, I believe, the red castle, or something to that effect.

To the best of my knowledge on the first evening, at the occasion of a greeting by Holm, there was practically no discussion of Katyn. It was more or less meant that the individual members got acquainted with each other. Holm and Buhtz were very much concerned about these gentlemen getting an absolutely independent impression. Subsequently there were inspections, surveys, post mortems, and the familiarizing of them with the environment of Katyn, always under the leadership of Buhtz and Holm. I myself always had been present, even though I was not a medical doctor.

I recall we also visited the so-called museum of the field police, where all items had been placed on display in glass showcases, which so far had been discovered by way of diaries, also pocketbooks, tobacco pouches, and so forth. That is where I believe we got to know Mr. Voss, who, I take it, was in command of the field police.

The members of the committee were free to take anything out of the showcases they were interested in or which they desired to read.

There was no document that would not have been accessible to them.

The graves were exhaustively inspected and the entire area of the woods was surveyed. By the side of the largest of the main graves—and I take it that it was grave No. 5, but I am not positive, I may be mistaken about that—wooden tables were placed for the post mortems or the autopsies, as well as small tables for the typewriters on which autopsy reports could be typed up.

Dr. Holm and Dr. Buhtz had thoroughly prepared everything so that each of these foreign gentlemen who desired to do so could perform autopsies.

Some of the gentlemen worked all by themselves; others worked in teams of two. They were assisted by gentlemen from the Institute of Forensic Medicine, which had moved from Breslau to Smolensk, medics, noncoms, and Polish and Russian laborers as well, who were carrying corpses.

The smell of the corpses was impossible to bear, so, for the first time in my life, I became a chain smoker. Shortly beyond the residence of von Kluge the smell of the corpses became discernible. It was a very hot summer.

I myself am no expert in autopsies. However, I looked at everything closely and I was even able to stand it through to the end. It was my principal duty to see to it that all wishes of our foreign guests were met.

Incidentally, I recall there was a broadcasting truck present, where discs might be made and broadcast right away. I myself had such a conversation with Professor Saxen, from Helsinki, a professor of the University of Helsinki, a professor of pathology. I also made a disc with a female doctor from Berlin, who, however, told me these corpses were so gruesome, and she asked me to only mention the corpses in the introduction, so that our conversation over the radio consisted more or less only of a discussion of a wide Russian country, the city walls of Smolensk, the relics of Napoleon, and the Cathedral.

I take it I need not discuss the details of Katyn because Dr. Tramsen did so exhaustively.

On the last day at noon, still at Katyn, certain members of the delegation asked me what we now anticipated or expected from them as a result of it. They themselves suggested to me that it was most likely they would be of a unanimous opinion in regard to a protocol. This intimation did not start on the German side. As a matter of fact, it was made by the foreign, by the alien parties.

We met Professor Buhtz at the Institute of Forensic Medicine in the afternoon. With one exception, there were no Germans present but Professor Buhtz and myself. Professor Buhtz was requested to take charge of the negotiations, that is, more or less only of the technical side of the discussion, not of the contents. As to the contents, it was more or less performed by the spokesman of the committee, the senior member, Professor Orsos. It was, at any rate, a discussion between the foreign participants as to what should be contained in the protocol. There were no material discrepancies of opinion, it was more as to the form or as to the extent of the statements to be made.

For instance, I myself did not know this at Katyn, I mean, the question of the planting of trees. During that session, however, Professor Orsos requested a microscope. He produced out of a bag one of these saplings that Dr. Tramsen had mentioned before, and demonstrated,

by the specimen, that these saplings had been replanted on one previous occasion and that, according to his findings, these saplings had been standing in one place for 3 years, and prior to that, for another 2 years, in a different place.

It was very interesting to notice, during that discussion as well as during all of the previous discussions, that all of the participants of the committee were unanimous as to a recognition of the international reputation of Dr. Orsos. But even in the course of this issue here there was a clear political difference between the Hungarian and the Rumanian. The Rumanian guest was a lecturer of the Institute of Forensic Medicine at Bucharest, which enjoyed a very good reputation. His name was Dr. Birkle. He emphasized, however, that he was no German but a full-blooded Rumanian. Dr. Birkle frequently objected to the findings of Dr. Orsos, and frequently found them to be too far reaching or of a too dictatorial nature.

All of us frequently smiled at these bickerings, because it was our opinion that this was clearly manifested in former differences about Sienburgen and other parts of the country. This was expressed particularly when the question of these fir trees arose. Birkle said, in essence, as follows:

"Professor Orsos, you may be a really competent doctor of forensic medicine, and you might also be a very good artist, but that you, however, wish to be a very competent botanist, that is going too far."

Now, Professor Orsos demanded that his theory be adopted. I mean, the theory about the 3 and 2 years, respectively. Then one of the participants asked whether or not there was a forestry expert of the army group present. Professor Buhtz replied in the affirmative, and called up from the very same room that a forestry expert should report at once. He actually appeared within a few minutes, and he had no inkling as to what he was supposed to say. That was Mr. von Herff.

Now, Mr. von Herff took one look at the microscope, and, I wish to emphasize, right on the spur of the moment, without having been told before what the subject of the discussion was, said, "This tree here has been standing in one place for 3 years, here is a notch, and it has been standing in another place 2 years prior to that." That, at least, is what I remember.

After this clear-cut, expert statement of Mr. von Herff, Dr. Birkle admitted that he had been licked, and he furthermore admitted that Dr. Orsos was also a competent botanist.

Essentially, I can fully concur in what Dr. Tramsen testified to before in the course of those proceedings. Not a single one of the foreign participants was forced to make a statement for the protocol or to sign anything. What could we, the two German participants, have done if anyone had said, "No, I won't sign it"? He would merely have had to say, "I haven't received such authority from my Government; I was merely instructed to go and take a look at the things at Katyn." That was the attitude taken by the French representative, who has been previously sufficiently characterized by Dr. Tramsen. He was a good-natured old gentleman who, however, had no essential private opinion. He stated, however, that he, for his person, was in full agreement with what he saw and with what the committee determined. I am referring to the end of the protocol where, if I remember correctly, he and Professor Buhtz are men-

tioned as the two gentlemen who fully concurred in what had been said. I, for my part, could not indicate my agreement, due to the fact that I am not a medical man.

This instrument, when we were back in Berlin, was transmitted by the foreign participants of the committee to my chief, Dr. Conte, on the occasion of a formal visit, and it also included a formal speech. Subsequently, and by his order, I transmitted one copy of it to the Foreign Office. Then we had photostatic copies made so that the signatures would also be pictorially visible, and gave one copy to every member.

Part of the members of this delegation remained in Berlin for another week, and we further took care of their wishes. For instance, I made an appointment for a visit to the Institute of Forensic Medicine in Berlin; they purchased medical textbooks; they went to look at this or that. Then they individually left Berlin.

Some time later, it might have been about 10 or 14 days later, a German medical committee had been flown up there. It was I who also intimated that such a commission should go. However, I did not take part in it. The most prominent member of it, I believe, was the formerly-mentioned Mueller-Hesse. That delegation, too, went on record with a statement.

The Foreign Office was preparing a so-called White Book of the Katyn incident, and these visits, as well as the determinations set forth in the protocol, were also mentioned in the White Book. I then cooperated in the preparation of the White Book, and principally saw to it that a great medical report of Professor Buhtz was contained in it, in which he set forth all of his experiences. I had a series of pictures made, which I deemed expedient, and I was also proofreading, along with others.

When my book had been completed, I submitted one copy to each of the foreign participants and received friendly letters of gratitude from all of the members as I remained in a pleasant exchange of letters and thoughts with many of them.

Mr. FLOOD. May I say this, doctor: I am interested in that very extensive and detailed report. When you invited the foreign and neutral governments to participate in the commission, did any of them refuse?

Dr. ZIETZ. We don't know who had been invited by the Foreign Office. In Switzerland, for instance, as also in other countries, invitations were conveyed through the Ambassador. For instance, we would have liked to have Spain and Portugal also represented; however, the efforts of Dr. Conti in this respect were of no avail. Perhaps there were too many objections engendered by neutrality.

Mr. FLOOD. Did you ever hear that Portugal refused?

Dr. ZIETZ. No.

Mr. FLOOD. Did you ever hear that the Spanish delegate never participated?

Dr. ZIETZ. No, he did not participate. Spain was not present.

Mr. FLOOD. Did you know that the Swedish delegate was seriously injured in a motor accident just before he left Stockholm for the Berlin meeting?

Dr. ZIETZ. Yes; we deeply regretted it. I believe he sustained an injury of his spinal column, vertebrae, or something to that effect, and for a whole year he lay in a plaster cast. We already had been notified

of his participation, and we would have liked very much to have had him, and I have been with him in amicable correspondence for a long time.

Mr. FLOOD. Were you here this morning when Dr. Sweet, of the allied institute for the possession of war-captured documents, was testifying?

Dr. ZIETZ. No. Due to a failure of a locomotive, I arrived 2 hours late.

Mr. FLOOD. Did you know that the Foreign Office, in transmitting the invitation that you are talking about, has asked certain of its diplomats to look for anti-Jewish or pro-Nazi scientists?

Dr. ZIETZ. That is unknown to me. These suggestions definitely were not made by my chief.

Mr. FLOOD. Do you remember the Bulgarian member, Markov, and the Czech member, Hajek?

Dr. ZIETZ. Very well.

Mr. FLOOD. Did either Markov or Hajek, at any time during your association with the commission, object to any treatment they were receiving from the Germans, or in any way protest or disagree with the findings of their colleagues on the commission?

Dr. ZIETZ. No; no. In the first place, I wish to deal with Professor Markov. I, for myself, hold Professor Markov in high esteem as a man of impeccable character. After Katyn, he repeatedly wrote friendly letters to me and never expressed any skepticism on his part.

I can fully understand he made a different statement at Nuremberg because he had occasion to see at Katyn how such things are done.

Professor Hajek also wrote me once or twice afterward. He certainly had no easy position in the protectorate. However, he never gave any indication that he would not fully go along and agree with what was signed.

Mr. FLOOD. You are aware, of course, that Markov and Hajek have both changed their original story and have recanted from their signatures and opinions of the international protocol?

Dr. ZIETZ. That, in my opinion, is merely a lack of scientific conviction due to a threat to life and limb.

Chairman MADDEN. Doctor, the committee wishes to thank you for coming here and testifying today. Your testimony has been very valuable.

Mr. von Herff.

#### **TESTIMONY OF FRITZ VON HERFF, MICHELSTADT/ODENWALD, GERMANY (THROUGH INTERPRETER MOSTNI)**

Chairman MADDEN. Mr. von Herff, do you object to being photographed?

Mr. VON HERFF. No.

Chairman MADDEN. Just give the reporter your name and address, Mr. von Herff.

Mr. VON HERFF. Fritz von Herff; Michelstadt/Odenwald; forester.

Chairman MADDEN. Mr. von Herff, I will read a statement for your consideration.

Before you testify, it is our wish to invite your attention to the fact that, under the German law, you will not be liable for slander or libel, either in criminal or civil proceedings, for anything that you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as a result of your testimony.

Now will you stand and be sworn?

Mr. FLOOD. Does the record indicate that the witness understood the admonition?

Mr. VON HERFF. Yes, I did.

Chairman MADDEN. Do you solemnly swear, by God the Almighty, that you will testify, according to your best knowledge, and tell the truth, the whole truth, and nothing but the truth; so help you God?

Mr. VON HERFF. I do.

Mr. FLOOD. What is your full name?

Mr. VON HERFF. Fritz von Herff.

Mr. FLOOD. What is your present occupation or business?

Mr. VON HERFF. Forester.

Mr. FLOOD. Were you ever identified with the German Armed Forces?

Mr. VON HERFF. Yes, I was.

Mr. FLOOD. I direct your attention to the year of 1943 and ask you whether or not you were serving with the German armed forces on the Russian front in the Smolensk area?

Mr. VON HERFF. Yes, I did.

Mr. FLOOD. Were you serving in your capacity as a forester for the Armed Services in that area?

Mr. VON HERFF. Yes, I was.

Mr. FLOOD. Are you aware of the Katyn Forest and the massacre of the Polish officers in that area?

Mr. VON HERFF. I am pretty well familiar with the woods surrounding Katyn because I was extensively occupied in furnishing wood to German troops billeted around the area.

Mr. FLOOD. When did you first arrive in the Smolensk area?

Mr. VON HERFF. In the end of December 1941, I came to Smolensk.

Mr. FLOOD. When did you leave?

Mr. VON HERFF. On the 1st of August 1943.

Mr. FLOOD. In all the time you were in the area, did you have occasion to visit the area of the Katyn Forest in the vicinity of the Dnieper Castle?

Mr. VON HERFF. Yes.

Mr. FLOOD. Did you have occasion, in your professional capacity as a forester, to observe carefully the nature of the terrain and the nature of the trees and growth within a thousand meters or more of the Dnieper Castle?

Mr. VON HERFF. According to my notes, I and my superior, a captain, inspected the Katyn graves on the 14th of April.

Mr. FLOOD. When was the first day that the graves were opened by the Germans in April of 1943, if you know?

Mr. VON HERFF. I don't know the exact date. It must have been eight or 14 days before.



Mr. FLOOD. During the time that you were in the Katyn Forest area, in December of 1941, until April 15, 1943, did you ever observe any extensive growths of small pine, evergreen, or birch trees?

Mr. VON HERFF. The entire region of Krasny Bor is a wooded area, the woods principally consisting of fir trees of various ages.

Mr. FLOOD. Is it possible for a forester of your experience, by observation, to be able to tell whether or not evergreen trees or birch trees have been transplanted within 3 years, if there had been any extensive transplanting in one area?

Mr. VON HERFF. That is not easy to say.

Mr. FLOOD. Is it easy to say one way or the other?

Mr. VON HERFF. No. It is impossible to say so definitely.

Mr. FLOOD. Certainly, in the length of time you were in the Katyn area, you examined the forests or the woods within a thousand meters of the Dnieper Castle; did you not?

Mr. VON HERFF. I was not around the castle much because that was the residence of the commander in chief and it was not so easy to gain access to the area.

Mr. FLOOD. Did you gain access and make any inspections or surveys for timber or lumber or fuel, or did you examine the woods and forest in the area?

Mr. VON HERFF. I did not survey any timber or lumber or wood of any kind in the area surrounding the graves. My area of operation was far away from Katyn, up to 60 kilometers from Katyn.

Mr. FLOOD. When was the matter of the Katyn graves first brought to your attention in your official capacity as a forester?

Mr. VON HERFF. On the 30th of April.

Mr. FLOOD. In what manner?

Mr. VON HERFF. I received a telephone call from the chief quartermaster telling me that I was supposed to proceed forthwith to a hospital in the eastern portion of Smolensk. There I was supposed to render an expert statement. The evening was approaching. I proceeded there, and there I found an international committee, about a dozen gentlemen. Presiding was General Surgeon Holm. General Holm presented to me several fir saplings—as has been mentioned by a previous witness—about 30 or 40 centimeters, one foot and a half in height. There might have been 2 or 3 pieces.

In the first place, I determined the age. To the best of my recollection, it was from about 5 to 7 years. Then I was asked whether the growing process had been a normal one. To this end, a crosscut of the sapling was made and I took a look at the crosscut under a microscope. There you could clearly see the year rings.

Every wooden plants adds every year one ring of wood, which is clearly discernible. Now, it could be easily traced back that one of these yearly rings, 3 years ago, was of a very small size. This year, consequently, the growth of the plant must have been stunted.

Being foresters, we know that every plant, after being transplanted, does not grow normally the first year after the transplanting has been effected because the roots of the plant have to get accustomed to the new soil in which the plant grows. Therefore, I expressed my opinion that 3 years ago—that is, 3 years prior to 1943—something must have happened to the plant.

Hence, when asked by the chairman whether a transplantation of a plant might have been done about 3 years ago, I replied in the affirmative.

The gentlemen of the committee were in full agreement but for a single party, who asked whether this stunted growth of the plant perhaps could be ascribed to inclement weather conditions. I right away admitted such a possibility.

That concluded my expert statement and I was asked no further questions.

Mr. FLOOD. Did you know where the tree came from that was shown to you by the scientist that night?

Mr. VON HERFF. No. I had not been told.

Mr. FLOOD. Did you know a Dr. Buhtz?

Mr. VON HERFF. I knew nothing of the gentleman.

Mr. FLOOD. You did not talk to Dr. Buhtz on the phone or in person at any time prior to your visit to the scientist that night?

Mr. VON HERFF. I did not speak with any one of these gentlemen, either before or after this issue.

Mr. FLOOD. What was the rank of the officer that talked to you and gave you your orders to go to Smolensk?

Mr. VON HERFF. Well, I could not say; it was most likely an orderly officer who merely transmitted an order presumably given by the chief quartermaster.

Mr. FLOOD. How many rings were on the crosscut of the tree that you examined that night in Smolensk?

Mr. VON HERFF. As I said before, I don't remember quite accurately, but I indicated before, to the best of my recollection, the saplings were from 5 to 7 years of age.

Mr. FLOOD. If a sapling had seven rings on it, how old would it be?

Mr. VON HERFF. Seven years of age.

Mr. FLOOD. Does it show a full ring for its first year of growth?

Mr. VON HERFF. That is merely intimated by a point—a dot.

Mr. FLOOD. Do you count the dot as one full year?

Mr. VON HERFF. One full year.

Mr. FLOOD. And you don't recall the exact number of rings in addition to the dot on the sapling you saw that night?

Mr. VON HERFF. No; I do not.

Mr. FLOOD. But you are positive it was not less than five?

Mr. VON HERFF. I am quite positive of that.

Mr. FLOOD. Was there any indication on the cross-cut sapling you saw of a darkening of the ring at the third ring?

Mr. VON HERFF. I do not remember any longer.

Mr. FLOOD. Did you ever see the graves at Katyn with trees the size that you are indicating you examined in Smolensk planted on the graves?

Mr. VON HERFF. Inasmuch as I visited the graves prior to having made this examination of the sapling, I didn't pay so much attention to the trees planted there. However, I recall that they were of approximately the same size as that sapling.

Mr. FLOOD. Did you visit the graves before they were opened?

Mr. VON HERFF. After they had been opened.

Mr. FLOOD. After they had been opened?

Mr. VON HERFF. Yes.

Mr. FLOOD. Did you see any trees lying around the area that you had been told had been removed from the top of the graves?

Mr. VON HERFF. No; I do not recall.

Mr. FLOOD. Had anybody discussed with you the existence of trees of the type and kind you examined at Smolensk as having been planted on the graves of the Polish officers?

Mr. VON HERFF. No; I know nothing about that.

Mr. FLOOD. Of course, at the time you went to the meeting of international scientists in Smolensk you had heard about the Katyn graves and they had been opened?

Mr. VON HERFF. Yes.

Mr. FLOOD. Weren't you curious or didn't you think in your mind what these scientists were doing there that you, as a forester, were called in to talk to them?

Mr. VON HERFF. Well, from the whole proceedings I was given to understand that I was supposed to help find out from the sapling I examined when these corpses had been buried.

Mr. FLOOD. The German side in this case takes the position, among others, in support of their conclusion that the Russians had perpetrated this massacre and, in order to conceal the graves in which the bodies were buried, took saplings 2 years of age, transplanted them on the graves, with the result that when the Germans, in April 1943, uncovered the graves, the saplings would then be 5 years of age. In your professional opinion as a forester, could the sapling or the two or three of them showed to you that night in Smolensk, especially the one you examined the cross-cut of, have been such a sapling as could be 5 years of age and could have been transplanted 3 years previously to 1943?

Mr. VON HERFF. Definitely so. It might have been such a one, definitely.

Mr. FLOOD. That's all.

Chairman MADDEN. Any other questions?

We're very thankful for your testimony here today. Thank you very much.

The committee will now recess until 10 o'clock tomorrow morning.

(Whereupon, at 6:05 p. m., Wednesday, April 23, 1952, a recess was taken until 10 a. m. Thursday, April 24, 1952.)



## THE KATYN FOREST MASSACRE

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THURSDAY, APRIL 24, 1952

HOUSE OF REPRESENTATIVE,  
THE SELECT COMMITTEE ON THE KATYN FOREST MASSACRE,  
*Frankfurt/Main, Germany.*

The committee met at 10 a. m., pursuant to recess, in the Main Courtroom, Resident Officer's Building, 45 Bockenheimer Anlage, Hon. Ray J. Madden (chairman) presiding.

Present: Messrs. Madden, Flood, Machrowicz, Dondero, and O'Konski.

Also present: John J. Mitchell, chief counsel to the Select Committee, and Roman Pucinski, investigator and interpreter.

Present also: Arthur R. Mostni and Eckhardt von Hahn, interpreters.

(The proceedings and testimony were translated into the German language.)

Chairman MADDEN. The committee will come to order.

### TESTIMONY OF WLADYSLAW KAWECKI, WUERZBURG, GERMANY (THROUGH POLISH INTERPRETER, ROMAN PUCINSKI)

Chairman MADDEN. Mr. Kaweck, do you object to being photographed?

Mr. KAWECKI. I would rather not.

Chairman MADDEN. Let me say to the photographers that this witness prefers not to be photographed. At the beginning of the hearings we announced that the committee would comply with the request of any witness who desired, during the progress of these hearings, not to be photographed, either before or after or during his testimony. That is in line with the rules of the House of Representatives.

Will you just give your name and address?

Mr. KAWECKI. Wladyslaw Kaweck, Wuerzburg, Germany.

Chairman MADDEN. Before you testify, it is our wish to invite your attention to the fact that, under German law, you will not be liable for slander or libel, either in civil or criminal proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as a result of your testimony.

Do you understand that?

Mr. KAWECKI. Yes, I do.

Chairman MADDEN. Raise your right hand and be sworn.

Do you swear, by God the Almighty, that you will, according to the best of your knowledge, tell the truth, the whole truth, and nothing but the truth; so help you God?

Mr. KAWECKI. I do.

Chairman MADDEN. You may proceed, Mr. Machrowicz.

Mr. MACHROWICZ. What is your name?

Mr. KAWECKI. Kaweck.

Mr. MACHROWICZ. What is your first name?

Mr. KAWECKI. Wladyslaw.

Mr. MACHROWICZ. Where do you live?

Mr. KAWECKI. In Wuerzburg.

Mr. MACHROWICZ. During the year 1939, were you in the Polish army?

Mr. KAWECKI. Yes.

Mr. MACHROWICZ. In what rank?

Mr. KAWECKI. Second lieutenant.

Mr. MACHROWICZ. Prior to the war, what was your occupation?

Mr. KAWECKI. I was a journalist.

Mr. MACHROWICZ. In April 1943, were you in Poland?

Mr. KAWECKI. Yes; that is correct.

Mr. MACHROWICZ. In what part of Poland?

Mr. KAWECKI. In Krakow.

Mr. MACHROWICZ. Sometime in April, were you called by anyone to go to Katyn?

Mr. KAWECKI. That is correct.

Mr. MACHROWICZ. Who asked you to go to Katyn?

Mr. KAWECKI. I was summoned to the office of the Press Chief of the Government General in Krakow on the 9th of April, at noon.

Mr. MACHROWICZ. Was that before, or after it was announced that the graves of Katyn were found?

Mr. KAWECKI. It was from him that I learned of the fact that the graves were discovered at Katyn.

Mr. MACHROWICZ. Witness, for your information, the Germans announced the finding of the graves on the 15th of April 1943. Do you remember that date?

Mr. KAWECKI. That may be true, because the first announcement of the discovery of the graves was made only after the return of the second Polish group to Katyn.

Mr. MACHROWICZ. Then you would say that you left about the 9th of April, is that right?

Mr. KAWECKI. I left on the 10th of April, in the morning.

Mr. MACHROWICZ. Who was with you?

Mr. KAWECKI. The day that I was notified of my departure I did not know who was going to be with me.

Mr. MACHROWICZ. Who accompanied you on the trip?

Mr. KAWECKI. We had to assemble at 7 in the morning in front of the propaganda headquarters in Krakow. From there we left for the airport near Krakow.

Mr. MACHROWICZ. Who was with you on this trip?

Mr. KAWECKI. I left with the chief of an organization that provided for the evacuees from the Poznan area, the Poles who were evacuated from Poznan, the RGO, whose name was Edmond Sayfred, a Pole; and a worker in the Zielinski factory, whose name was Jan Prochownik.



I want to make clear that this was a Polish organization that Say-fred headed.

Mr. MACHROWICZ. Were you told what the purpose of your trip was?

Mr. KAWECKI. I was told on the 9th of April when I was summoned to the press chief's office.

Mr. MACHROWICZ. What were you told?

Mr. WAWECKI. I was told that in the region of Smolensk had been found graves of Polish Army officers.

Mr. MACHROWICZ. Were you told what the purpose of your trip was?

Mr. KAWECKI. For the purpose of convincing ourselves whether or not these were Polish officers.

Mr. MACHROWICZ. After the plane left Krakow, did it make any stop before it arrived at Katyn?

Mr. KAWECKI. Yes; it did.

Mr. MACHROWICZ. Where?

Mr. KAWECKI. The airplane landed in Warsaw.

Mr. MACHROWICZ. Did you take on any additional passengers in Warsaw?

Mr. KAWECKI. Yes.

Mr. MACHROWICZ. Can you tell us the names of any of those who got on at Warsaw?

Mr. KAWECKI. Yes; I can. All told, eight people boarded the plane in Warsaw. Among them were Ferdinand Goetel, who was president or the Polish literary club, and Jan Emil Skiwski. The rest of the group consisted of officials from the local Warsaw Polish Government.

Mr. MACHROWICZ. For your information, witness, Mr. Goetel, whom you mentioned, has already testified before this committee during its proceedings in London regarding this trip.

Mr. KAWECKI. Thank you.

Mr. MACHROWICZ. Did you then go to Smolensk?

Mr. KAWECKI. In about 20 minutes. After about a 20-minute delay, the plane left for Smolensk.

Mr. MACHROWICZ. What happened after you arrived at Smolensk?

Mr. KAWECKI. We arrived at Smolensk approximately at 2 in the afternoon. There we waited for the arrival of automobiles at the airport. We waited for a half hour. About two or three cars arrived in a half hour and they took us to the hotel.

Mr. MACHROWICZ. What happened after that?

Mr. KAWECKI. We arrived at the hotel and were received there by the officials. Then we were taken to dinner in the Casino. Later on, a German lieutenant, whose name we later learned was Sloven-czyk, came to us.

Mr. MACHROWICZ. Did he later take you to the scene of the graves?

Mr. KAWECKI. Not that evening, but the following day at 9:30 in the morning we left for Katyn.

Mr. MACHROWICZ. Will you tell us what you saw and noticed and did when you arrived at the scene of the Katyn graves?

Mr. KAWECKI. After our arrival at the graveyard of Katyn, we were greeted by a delegation of high-ranking German officers, and included in that group was the gentleman who was here the other day, General von Gersdorff. After a brief reception by this group of higher officers, we were immediately taken to the largest grave, where we were confronted with a horrible sight.

It did not take us long to establish clearly in our minds that these

were the Polish officers. We established this by the uniforms that they wore, the buttons, the insignia, and the characteristic Polish boots.

Mr. MACHROWICZ. Will you just tell us what part you took personally in the examination of these bodies?

Mr. KAWECKI. After viewing this large grave, we were taken to another spot, where several exhumed bodies were lying. Among these we noticed the bodies of General Smorawinski and General Bohaterowicz. Both of these men were readily recognizable because of their uniform and because of the high distinguished medals which they still had on them.

General Bohaterowicz had on a fur coat, from which we concluded that he must have been executed or the period of his death must have been during the winter months or in the early spring.

Immediately, we were given complete freedom and permission, with the help of the Russian workers, to select at will the bodies from the graves and proceed to search these bodies for records or any other means that we wanted to use to try to determine the method of their death. After examining some 40 bodies, we concluded that these men met their death through a bullet shot through the back of the head, with the bullet leaving through the forehead.

Next, we had an opportunity to mingle with the Russian workers in the area, and in reply to our questions as to when these murders were committed, they told us that the period was from March to May of 1940.

I recall particularly the name of one of these Russians that I talked to. His name was Kisielew. I spoke to him in Russian and I had an opportunity to see, from my personal conversation with him, in his own language, whether he was telling me these things willingly. I felt that if a German translator were present he might be coerced or embarrassed and might not tell me everything.

Mr. MACHROWICZ. Just a moment. Did Kisielew and whomever else you talked to tell you how they knew that these killings took place between March and May 1940?

Mr. KAWECKI. Kisielew said that he had been told by his friends in Gniezdowo how they had seen some unknown soldiers—soldiers that were not Russian or Soviet—being transferred to trucks at Gniezdowo and then being taken to the forest of Katyn, from which they were never seen to return.

Mr. MACHROWICZ. Did they give you any other information upon which they based their belief that the killings took place within that period?

Mr. KAWECKI. Independent of the conversations that I had with Kisielew, I talked to another Russian. I cannot recall his name, but I think it was Kriwozerczew. He also worked on the farm nearby the forest and said that he had seen the NKVD vans, known as the "black ravens," bringing soldiers into the Katyn woods.

Mr. MACHROWICZ. Do you want to tell us any further observations that you made while you were at Katyn during that time?

Mr. KAWECKI. At the time, I was so unnerved by my whole experience that I did not have the strength to carry on any sort of detailed investigation. However, the observations that I did make confirmed the horrible drama which we had witnessed at Katyn.

Mr. MACHROWICZ. How many days did you remain in Katyn on that trip?

Mr. KAWECKI. The following day we returned by plane to Poland.

Mr. MACHROWICZ. Did you make another trip to Katyn?

Mr. KAWECKI. Yes, I did.

Mr. MACHROWICZ. When?

Mr. KAWECKI. The middle of May 1943.

Mr. MACHROWICZ. Can you tell us how that second trip to Katyn was brought about?

Mr. KAWECKI. After my return from my first trip to Katyn, I brought with me the list of the Polish officers who up to that time had been identified.

Mr. MACHROWICZ. How many were there?

Mr. KAWECKI. The first list that I and those with me compiled included approximately 50 names.

Mr. MACHROWICZ. Before we leave the first trip, can you tell us how many bodies were exhumed at the time you were there the first time?

Mr. KAWECKI. During my first visit to Katyn, three graves were uncovered and there were approximately 70 people exhumed. Among these were the bodies of General Smorawinski and General Bohaterowicz.

Mr. MACHROWICZ. Now will you proceed to tell us why you were called the second time to Katyn?

Mr. KAWECKI. After my return, the list which I brought with me was published in the Polish newspapers, and the families of those men who were interned in Russia began making voluminous inquiries as to more names, because the Germans at that time, the German propaganda, had indicated that there were between ten and eleven thousand bodies at Katyn.

Mr. KAWECKI. Further, Dr. Adam Szebesta, who was head of the Polish Red Cross at the time, was making inquiries of me for more names. Dr. Szebesta not only inquired of me for additional names, but also sought permission from the Germans to make available to him the obtaining of additional names because there was a list of names, or several lists, that were sent through by a Polish Red Cross commission which had been working at Katyn since the latter part of April and the list was in such form that it could not be properly evaluated. The lists being sent to us by the commission in Katyn were being telephoned in and had to go through Minsk, Wilnow, Koenigsberg, Danzig, and finally Krakow.

Mr. MACHROWICZ. And, in the process, did the names frequently end up in a different form than they should be?

Mr. KAWECKI. Yes, the names were misspelled and incorrect by the time we received them.

Mr. MACHROWICZ. And, as a result, did Dr. Szebesta ask the Germany authorities for permission to send some one to Katyn who would get the spelling of the names?

Mr. KAWECKI. That is correct.

Mr. MACHROWICZ. Were you delegated to do that?

Mr. KAWECKI. Originally, Dr. Moliszewski was assigned to this mission, but because he had broken a leg prior to his departure, I was substituted for him.

Mr. MACHROWICZ. With whom did you go to Katyn?

Mr. KAWECKI. I was instructed to leave by train from Krakow to Wacław, Breslau, and then I proceeded from there by plane.

Mr. MACHROWICZ. When did you arrive at Smolensk and Katyn the second time?

Mr. KAWECKI. On the plane trip from Breslau to Smolensk I was accompanied by a group of Allied prisoners of war who were being taken from Berlin to Smolensk.

Mr. MACHROWICZ. The question that I asked you is what date did you arrive at Smolensk?

Mr. KAWECKI. I do not recall the exact date, but I do know that it was in the middle of May.

Mr. MACHROWICZ. Of 1943?

Mr. KAWECKI. Yes; that is correct.

Mr. MACHROWICZ. Do you remember the names of any of these Allied prisoners of war who accompanied you by plane from Breslau to Smolensk?

Mr. KAWECKI. At Breslau, I was not permitted to mingle or communicate with the Allied prisoners of war. However, by the time we concluded the trip to Bialek-Polawski the rules were not as rigidly adhered to and, at lunch, I was sitting between a British medical captain and an Australian pilot who had the rank of lieutenant.

Mr. MACHROWICZ. Were there any American officers in this group?

Mr. KAWECKI. Yes, there were among these American prisoners and I recall that one of them was in the rank of major.

Mr. MACHROWICZ. Do you remember his name?

Mr. KAWECKI. I recall it was Major Van Vliet.

Mr. MACHROWICZ. Was there another American officer in that group?

Mr. KAWECKI. As far as I recall, yes; there was another American in this group.

Mr. MACHROWICZ. Do you remember his name or rank?

Mr. KAWECKI. No, I do not.

Mr. MACHROWICZ. Would it have been Lieutenant Stewart?

Mr. KAWECKI. It is possible, but I cannot recall the exact name.

Mr. MACHROWICZ. This airport you mentioned as the place where you landed, was that the airport used for the Smolensk area?

Mr. KAWECKI. Yes, that is correct. That was one of the two air fields used by the German authorities.

Mr. MACHROWICZ. How long did you stay in the Katyn area on this trip?

Mr. KAWECKI. The period of my stay at Katyn was indeterminate. I was supposed to have remained there until I had completed the entire list. However, toward the end of May, the communications were very bad with Krakow and the weather became very bad, so, toward the end of May, I had returned to Krakow via Warsaw.

Mr. MACHROWICZ. And then, those 2 or 3 weeks you spent at Katyn at that time, were confined to trying to get a correct list of the names of the officers; am I right?

Mr. KAWECKI. That is correct.

Mr. MACHROWICZ. Now, you mentioned the name of Dr. Adam Szebesta, the head of the Polish Red Cross. Was he with you on either the first or the second trip to Katyn? I am not interested in knowing the names of the people who were with Dr. Szebesta. All I want to

know is whether Dr. Szebesta was with you on any of these trips to Katyn?

Mr. KAWECKI. No.

Mr. MACHROWICZ. Was he in Katyn a few days after your first trip, if you know?

Mr. KAWECKI. Yes; that is correct.

Mr. MACHROWICZ. And after you returned from the second trip to Katyn, did you work in close contact with Dr. Adam Szebesta in publishing the names of these Polish officers found in Katyn?

Mr. KAWECKI. Dr. Szebesta was very much interested, as president of the Polish Red Cross, in this list of names. As a result, I had frequent opportunities to be in his office in Krakow.

Mr. MACHROWICZ. As a result of your two trips to Katyn, did you establish in your own mind a belief as to who was the guilty party for the murders at Katyn?

Mr. KAWECKI. Yes; I did.

Mr. MACHROWICZ. What was your opinion?

Mr. KAWECKI. During my 2 weeks' stay at Katyn I had an opportunity, without any difficulty, to work in the entire terrain of the graves. I also had an opportunity to examine the letters and documents. I also found on the bodies newspaper clippings, letters which had been dated but not mailed, and various other documents.

Mr. MACHROWICZ. As a result of your observations, what was your opinion at that time as to who was guilty of the Katyn massacre?

Mr. KAWECKI. On the basis of my 2 weeks' stay at Katyn I came to the conclusion, and a conclusion that cannot be doubted, that the murderers of these soldiers in Katyn were the Bolsheviks.

Mr. MACHROWICZ. By Bolsheviks you mean the Russians?

Mr. KAWECKI. That is correct.

Mr. MACHROWICZ. Now, in the course of your conversations with Dr. Adam Szebesta, did you communicate to him what your beliefs were in this respect?

Mr. KAWECKI. Yes; we frequently discussed the subject. I told him my observations and Dr. Szebesta personally was of the opinion likewise that the massacre at Katyn was perpetrated by the Soviets.

Mr. MACHROWICZ. Were these conversations between you and Dr. Szebesta done under such conditions and such an atmosphere that it indicated a free express on his part?

Mr. KAWECKI. In 1942, both Dr. Szebesta and I had been arrested by the Gestapo and jailed in Krakow for several months. However, at the time of these particular discussions relative to Katyn, the situation was such that we did not feel that we were under any particular surveillance or that we could not express our free opinions.

Mr. MACHROWICZ. So that you are convinced, are you, that in your number of conversations with Dr. Szebesta he told you what his honest opinion was; is that right?

Mr. KAWECKI. Dr. Szebesta was no stranger to me. I knew him during my army service and before the war, and there was no need on the basis of our personal acquaintance or friendship for either one of us to lie to each other.

Mr. MACHROWICZ. I have had handed to me by one of the German correspondents who is present at this hearing a press release issued by the Polish Military Mission in Eastern Germany, dated March 28, 1952, in which Dr. Szebesta is quoted as now having changed his opin-

ion on the question of guilt for the Katyn massacre. Are you familiar with that statement?

Mr. KAWECKI. A few days ago I had occasion to see a newspaper published by the Polish Red Cross, a daily in Frankfurt, in which there appears the entire text of Dr. Szebesta's renunciation of his original views.

Mr. MACHROWICZ. Are the views and expressions which are contained in that statement by Dr. Szebesta in absolute and direct contrast to the expressions which he freely expressed to you when you were in Poland?

Mr. KAWECKI. Unfortunately, that is correct.

Mr. MACHROWICZ. Now, after 1943, did you leave Poland?

Mr. KAWECKI. Yes; I did.

Mr. MACHROWICZ. Were you later in Rome, Italy?

Mr. KAWECKI. Yes.

Mr. MACHROWICZ. In what year?

Mr. KAWECKI. 1947 and 1948.

Mr. MACHROWICZ. While you were in Rome during the years 1947 and 1948, did anyone approach you with the direct purpose of trying to get you to change the statements made by you previously in Poland as to the guilt for the murder of the Polish officers in Katyn?

Mr. KAWECKI. Yes. In May 1947, I was approached in the village of Recceone. I was approached by an officer in the uniform of the Second Polish Corps, but, after he began asking me certain questions, it became apparent to me that I was talking to a soldier of the Warsaw Government in Poland. His name was Alex Dobrowolski, who at that time, said he was the adjutant to the Polish Military Attaché in Rome whose name was Rosen Zawadzki.

Mr. MACHROWICZ. What did he tell you?

Mr. KAWECKI. Dobrowolski wanted to arouse my Polish sympathies. He tried to convince me that my conclusions and the statement made in 1943 were under duress by the Germans. He proposed to me at that time that I sign a separate declaration renouncing those views, and he showed me two copies of a statement already prepared which he had in his possession.

Mr. MACHROWICZ. What happened then?

Mr. KAWECKI. After reading this declaration which contained therein a complete renunciation of all the views I expressed originally on this Katyn matter, he asked and requested me to sign it. I read it and then refused to sign it.

Mr. MACHROWICZ. Did he make any offers or propositions to induce you to sign the instrument?

Mr. KAWECKI. Yes. While I was reading the declaration, Dobrowolski took out of his pocket a packet of American dollars and laid them on the table.

Mr. MACHROWICZ. Did he tell you how much they were or did you know how much they were?

Mr. KAWECKI. No, he did not tell me and I didn't ask, but from my observation, I felt that there were about one hundred twenty dollar bank notes.

Mr. MACHROWICZ. Did you accept it?

Mr. KAWECKI. No.



Mr. MACHROWICZ. Have you been offered or promised any consideration of any kind, monetary or otherwise, in order to testify before this committee today?

Mr. KAWECKI. No.

Mr. MACHROWICZ. Is the statement made by you here today, free and voluntary?

Mr. KAWECKI. That is correct.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Thank you very much for testifying here today.

**TESTIMONY OF ERWIN ALLGAYER (THROUGH THE INTERPRETER,  
ARTHUR MOSTNI)**

Chairman MADDEN. Mr. Allgayer, do you mind being photographed?

Mr. ALLGAYER. I would prefer not to be.

Chairman MADDEN. Give your full name to the reporter.

Mr. ALLGAYER. Erwin Allgayer, Bad Kreutznach.

Chairman MADDEN. Before you testify, it is our wish to invite your attention to the fact that under German law you will not be liable for slander or libel, either in criminal or in civil proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as a result of your testimony.

Do you understand that?

Mr. ALLGAYER. Yes.

Chairman MADDEN. You will be sworn.

Do you solemnly swear by God the Almighty that, according to your best knowledge, you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ALLGAYER. Yes, I do.

Mr. FLOOD. What is your name?

Mr. ALLGAYER. Erwin Allgayer.

Mr. FLOOD. Were you ever identified with the German armed forces at any time?

Mr. ALLGAYER. Yes, I was.

Mr. FLOOD. Did you ever serve with the German forces on the Russian front in the Smolensk area?

Mr. ALLGAYER. Yes, I did.

Mr. FLOOD. What was the name and description of your unit and when did you go to Smolensk?

Mr. ALLGAYER. It was the Fifth Company of the Eighth Railroad Engineer Regiment.

Mr. FLOOD. After you advanced from Bialistok in the direction of Smolensk, what were your duties that took you into Smolensk?

Mr. ALLGAYER. I, being a private, first class, belonged to a company troop of the company.

Mr. FLOOD. Were you a billeting officer?

Mr. ALLGAYER. No, I was not. I was a private, first class. I was not an officer.

Mr. FLOOD. I know, but were you engaged in searching for billets in the Smolensk area for your outfit?

Mr. ALLGAYER. Yes, I did that.

Mr. FLOOD. When did you get into Smolensk first?

Mr. ALLGAYER. It was definitely in the beginning of August 1941. I am convinced it was either the 1st or 2d of August.

Mr. FLOOD. How soon after the combat or first line troops moved out did you get into Smolensk? How many days, about?

Mr. ALLGAYER. Judging from what I have been able to learn, at that time, it must have happened several days later.

Mr. FLOOD. Was the front moving very fast forward about that time?

Mr. ALLGAYER. Yes, the front line was moving forward at a fast pace.

Mr. FLOOD. Tell us in your own words about your arrival in Smolensk, your search around the Smolensk area for billets, and when you first got to the forest known as Katyn?

Mr. ALLGAYER. At that time, I and several buddies of mine traveled down to Smolensk, traveling along a highway leading through the Katyn woods. We traveled along that highway down to Smolensk. I still clearly remember that there were constantly serious traffic jams by reason of the fast movement forward of the front line and the ensuing movement of troops. I found Smolensk was pretty heavily destroyed. Only a very few buildings were still intact. They were, however, not fit for billeting purposes. Subsequently, we traveled back from Smolensk, back to the woods. I still have the impression that it was at a distance of about 10 to 15 kilometers from Smolensk. That's only an approximation. That is a figure which I still remember. Then I discovered, on the left-hand side of the road, a fence which was either painted white or light blue, as it is customary in Russia. Well, there was an entrance in the fence and we, being servicemen, surmised that where there is a fence there will also be some building nearby behind it. Subsequently, we went through this gate and we traveled along a path. I remember it was a path or dirt road. It was not a highway—no proper road. This path was winding through the woods for quite some distance until, eventually, it ended by a building.

This building was entirely empty and it struck us as peculiar. It was of a type that was not common in Russia. It was partly constructed of timber and partly of bricks. One portion of the building had two stories. If I was facing the building, the left-hand portion had two stories. The right-hand portion contained garages, and, if I correctly remember it, the foundations of the garage were walled in. What particularly attracted my attention was a piano in the house because that's an object very infrequently found in Russia.

Subsequently, we put up our billets there. However, it occurred to us that the space would not be sufficient to billet an entire company, so, subsequently, we used the garages to have sufficient billeting purposes. At the time of our arrival, it was in summer and it was very hot. Therefore, we soldiers found it very fortunate that we had been billeted on the banks of the River Dnieper. We could very properly use these facilities for bathing purposes.

Mr. FLOOD. How long did your outfit stay there?

Mr. ALLGAYER. To the best of my recollection, about 3 weeks.

Mr. FLOOD. Do you remember about the date you moved out of there?

Mr. ALLGAYER. No, I could not accurately indicate that.

Mr. FLOOD. Do you know what part of the month?

Mr. ALLGAYER. I take it it was some time toward the end of the month.

Mr. FLOOD. Of what month?

Mr. ALLGAYER. August.

Mr. FLOOD. Was there any evidence of any German troops having been in residence in this castle or this building for any length of time when you got there—Germans?

Mr. ALLGAYER. Normally, if you move into billets which had previously been occupied by troops, you are apt to discover remains left behind, such as empty cigarette packages or signs or posters containing instructions. We didn't find any such indications in that building. However, I am not in a position to say there had been no German troops there a few days prior to our arrival in this building.

Mr. FLOOD. This outfit moved into this building right on the heels of the advancing German troops?

Mr. ALLGAYER. Yes.

Mr. FLOOD. All the time your outfit was there, did you see any Polish prisoners of any kind in the area?

Mr. ALLGAYER. No, I did not.

Mr. FLOOD. Did you see any Polish officers or Polish prisoners of any kind working on the highway?

Mr. ALLGAYER. Are you referring to the vicinity of Katyn?

Mr. FLOOD. In the vicinity of your headquarters around the wood?

Mr. ALLGAYER. No, I did not.

Mr. FLOOD. Did you have any conversations with any Russians who lived in the area—men or women?

Mr. ALLGAYER. Yes, I did. I have a vague and faint recollection only of a woman calling upon us on one occasion asking whether she could get authority to exhume her husband.

Mr. FLOOD. Did you ever hear any conversations that took place between any of your comrades or the Russians or did you have any conversations with Russians in which they talked about Poles being shot in the area?

Mr. ALLGAYER. I do not recall anyone having mentioned that those men had been Polish. However, I do recall a Russian, whose quarters, sort of a log cabin, was situated close near the highway, having told us servicemen upon one occasion that some people had been shot there.

Mr. FLOOD. Did he say when or about when?

Mr. ALLGAYER. It is possible he said so. However, I do not remember it.

Mr. FLOOD. Did you know anything about the graves at Katyn Forest or did you see any graves at Katyn Forest during the time you were there?

Mr. ALLGAYER. No; I neither saw the graves nor did I know anything about the graves at that time.

Mr. FLOOD. If there had been any shooting by Germans in the area during the time you were there, wouldn't you have known about it since you were right nearby?

Mr. ALLGAYER. Yes, we would have had to know it.

Mr. FLOOD. What were the sanitary conditions around your headquarters, so far as general health and sanitary conditions were concerned? Any trouble?

Mr. ALLGAYER. Yes. We had a lot of trouble, such trouble as we had nowhere and at no time in Russia.

Mr. FLOOD. What kind of trouble?

Mr. ALLGAYER. The majority of the company was taken ill with dysentery.

Mr. FLOOD. Anything else?

Mr. ALLGAYER. No.

Mr. FLOOD. Did you have any trouble with insects?

Mr. ALLGAYER. Oh, yes. We had an incredible number of insects which I believe was predicated upon the hot season of the year.

Mr. FLOOD. What did the people around there, that is, your comrades, think caused this dysentery to such a large extent in your unit?

Mr. ALLGAYER. Well, it was an enigma to us. We were questioning what might be the reason. First, we believed it might be the water. Subsequently, we believed our meat rations or the bread might have been spoiled. However, all our guesswork got us nowhere and even by the medical investigation of our doctor we got no results.

Mr. FLOOD. Did you have any trouble with flies?

Mr. ALLGAYER. Yes, we had an awful lot of trouble from flies, and I believe that was the reason why the company was moved out of this region so fast.

Mr. FLOOD. But nobody said anything to you about graves or thousands of men being murdered in the Katyn Forest right near your headquarters?

Mr. ALLGAYER. No.

Mr. FLOOD. Did you hear of any orders given to your headquarters to shoot any prisoners in the area?

Mr. ALLGAYER. This would have been something incredible at that time.

Mr. FLOOD. Did your unit take part in the execution of several thousand Polish officers in the Katyn woods?

Mr. ALLGAYER. Our only task was to maintain and repair the railroad line running through Smolensk and we had no other tasks whatever.

Mr. FLOOD. Did you take part in any executions or did your unit?

Mr. ALLGAYER. No.

Mr. FLOOD. Could any such executions have taken place within a thousand meters of your headquarters without your knowing about it, or hearing about it?

Mr. ALLGAYER. That is utterly impossible.

Mr. FLOOD. Did you make any observations with reference to any open spaces in the forests or the woods around your headquarters? Did you notice any?

Mr. ALLGAYER. Yes; I had a vague recollection of one such clearing. It happened because I and one of my buddies were walking through the woods and we came to such a clearing, and, actually, we couldn't see any reason why there should be a clearing right in the middle of a forest.

Mr. FLOOD. Was that a subject of conversation among the troops in your outfit?

Mr. ALLGAYER. Well, we soldiers just briefly discussed the mere fact. However, we did not put any importance on this fact.

Mr. FLOOD. What were the general regulations, as far as you knew or saw, as far as the Wehrmacht was concerned, in its treatment of Russian prisoners in the area of Smolensk-Katyn when you were there?

Mr. ALLGAYER. At that time no Russian POW's had yet been assigned as laborers to our maintenance unit, and therefore I know nothing about the treatment of Russian POW's.

Mr. FLOOD. That is all.

Chairman MADDEN. We wish to thank you for coming here to testify today.

Mr. FLOOD. Karl Herrmann.

**TESTIMONY OF KARL HERRMANN, KARLSRUHE/BADEN, GERMANY  
(THROUGH THE INTERPRETER, ARTURS R. MOSTNI)**

Chairman MADDEN. Mr. Herrmann, I might ask you, do you have any objections to being photographed?

Mr. HERRMANN. I would rather not.

Chairman MADDEN. Very well.

I will read a statement to you, Mr. Herrmann.

Before you testify, it is our wish to invite your attention to the fact that under German law you will not be liable for slander or libel, either in criminal or in civil proceedings, for anything you may say in your testimony; so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as the result of your testimony.

Did you understand that?

Mr. HERRMANN. Yes; I did.

Chairman MADDEN. Raise your right hand and be sworn.

Do you swear by God the Almighty that, according to your best knowledge, you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HERRMANN. Yes; I swear by God.

Chairman MADDEN. Please give your name and address.

Mr. HERRMANN. Karl Herrmann, 35-A Louisenstrasse, Karlsruhe/Baden.

Mr. FLOOD. What is your name?

Mr. HERRMANN. Karl Herrmann.

Mr. FLOOD. Were you ever identified with the German armed forces?

Mr. HERRMANN. Yes; I was a member of the security police.

Mr. FLOOD. Where were you stationed in 1943 and 1945?

Mr. HERRMANN. In 1943 I was at Lemberg and Krakow.

Mr. FLOOD. As a member of the security forces, what were your duties?

Mr. HERRMANN. Toward the end I was serving with the administration of the security forces in Krakow in my capacity as administrator of the material depot.

Mr. FLOOD. What year was that?

Mr. HERRMANN. In 1944 and 1945, until the end and the escape.

Mr. FLOOD. Had you ever heard of the Katyn massacres in any way by that time?

Mr. HERRMANN. Yes; I had heard about it for the simple reason that we, in our institute, had documents in our safekeeping.

Mr. FLOOD. What institute?

Mr. HERRMANN. The Institute for Forensic Medicine in Krakow.

Mr. FLOOD. Who was the chief of that institute?

Mr. HERRMANN. Dr. Beck.

Mr. FLOOD. What connection, if any, did you yourself have, in your capacity as a member of the security forces, with the Polish documents?

Mr. HERRMANN. I had no proximate connection; all this ensued only later on, in 1945.

Mr. FLOOD. Tell us what happened in 1945, as far as you recall, with reference to the transportation of these documents taken from your institute, that you described, in any way, from Krakow.

Mr. HERRMANN. Well, I will have to elaborate on that a little, to some extent. As I indicated before these documents had been in safekeeping with the institute.

Mr. FLOOD. Go ahead.

Mr. HERRMANN. After, however, we found out the guerrillas attacked the storage place—and I cannot say whether these guerrillas were Bolshevik guerrillas or belonged to the Polish underground—it was determined to take these documents to Breslau. On the 18th of January 1945, we were forced to flee from Krakow, and we were traveling via Breslau. In Breslau we were taken to emergency billets, where we were waiting for orders indicating to us where we were supposed to move subsequently. There I received an order to go and pick up the documents at the institute of anatomy and to haul the documents on a postal truck to the loading platform at a railroad depot. There was a train standing at the depot ready to take the members of the government somewhere else. It was the last train scheduled to leave the town, and we were assigned one coach of this train.

We traveled on that train to Dresden, and that is where the guard assignment of the boxes began.

Incidentally, I wish to emphasize that I do not know whether there were all of the documents. There were 16 boxes of documents.

Mr. FLOOD. How big was each box?

Mr. HERRMANN. They were 1 meter in length and from about 30 to 35 centimeters in height.

Mr. FLOOD. What were they made of?

Mr. HERRMANN. Wood.

Mr. FLOOD. How were they labeled, if you remember?

Mr. HERRMANN. They weren't—there weren't any labels, practically; there was only a sign on it, "Reichssicherheitshauptamt."

Mr. FLOOD. What does that mean? Translate it.

Mr. HERRMANN. Head Office of the Reich Security Office.

Mr. FLOOD. These boxes were all placed in that coach on that train, were they?

Mr. HERRMANN. Yes.

Mr. FLOOD. You saw that yourself?

Mr. HERRMANN. Yes. Well, we lent a hand in doing so.

Mr. FLOOD. Did you ride on the train with the boxes?



Mr. HERRMANN. Yes, in the very same coach.

Mr. FLOOD. To where?

Mr. HERRMANN. To Dresden.

Mr. FLOOD. What happened when you got to Dresden?

Mr. HERRMANN. The boxes were unloaded at a loading platform at Dresden-Neustadt.

Mr. FLOOD. What happened then, when you took them off at Dresden?

Mr. HERRMANN. Gestapo headquarters were notified to send us a truck. Originally, as far as I heard, the boxes were supposed to proceed straight to Berlin. In the meantime, however, the Russians had made a forced advance, so it was no longer feasible to take the boxes, as originally intended, to Berlin. The boxes were laden on a truck and taken to Radebeul.

Mr. FLOOD. When and where was the last time you saw these boxes?

Mr. HERRMANN. Well, I cannot indicate an accurate date. It might have been, however, toward the end of February.

Mr. FLOOD. What year?

Mr. HERRMANN. 1945.

Mr. FLOOD. Where was the last place you saw them?

Mr. HERRMANN. In Radebeul.

Mr. FLOOD. What town?

Mr. HERRMANN. That is near Dresden.

Mr. FLOOD. That is all.

Mr. HERRMANN. It is between Dresden and Meissen.

Chairman MADDEN. We wish to thank you for coming here and testifying today.

Dr. Beck. Dr. Werner Beck.

**TESTIMONY OF DR. WERNER BECK, HAMBURG, GERMANY  
(THROUGH THE INTERPRETER, ARTHUR R. MOSTNI)**

Chairman MADDEN. Doctor, do you have any objections to being photographed?

Dr. BECK. No; I do not.

Chairman MADDEN. Very well, no objections.

Before you testify, it is our wish to invite your attention to the fact that under German law you will not be liable for slander or libel, either in criminal or in civil proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as a result of your testimony.

Did you understand that?

Dr. BECK. Yes; I did.

Chairman MADDEN. Now, Doctor, stand and be sworn.

Do you swear by God the Almighty that you will, according to the best of your knowledge, tell the truth, the whole truth, and nothing but the truth, so help you God?

Dr. BECK. I swear, so help me God.

Mr. FLOOD. What is your name?

Dr. BECK. Beck, Werner.

Mr. FLOOD. Were you ever, at any time, identified with the former German Government?

Dr. BECK. Yes; I was serving with the Ministry of the Interior.

Mr. FLOOD. Did you ever, in your official capacity, have occasion to serve in Poland in any way?

Dr. BECK. Yes; I did.

Mr. FLOOD. Will you give us the title of your position in Poland and a short description of your duties there?

Dr. BECK. I was director of the Institute of Forensic Medicine and of Scientific Criminology.

Mr. FLOOD. Will you give us the German name of that institute, and your title?

Dr. BECK. Director of the State Institute for Forensic Medicine in the General Gouvernement.

Mr. FLOOD. And where was that located?

Dr. BECK. At Krakow.

Mr. FLOOD. In 1943, of course, you heard of the Katyn massacre?

Dr. BECK. Yes; I did.

Mr. FLOOD. When in 1943 had you heard of the Katyn massacre?

Dr. BECK. In April of 1943.

Mr. FLOOD. Where were you at that time?

Dr. BECK. In Krakow.

Mr. FLOOD. Doing what?

Dr. BECK. In my capacity as director of the Institute of Forensic Medicine.

Mr. FLOOD. By that time you had heard of the report of the International Commission of Scientists and their protocol of April 30, 1943, with reference to their findings at Katyn?

Dr. BECK. Yes; I had, for the simple reason that the leader of the German Commission, Professor Buhtz, had been my chief at Breslau University.

Mr. FLOOD. That is the Dr. Buhtz who was cooperating with the International Commission of Scientists at that time; is that correct?

Dr. BECK. Yes.

Mr. FLOOD. Do you know whether or not the Polish Red Cross was in any way connected with the exhumations at Katyn?

Dr. BECK. Yes; I do.

Mr. FLOOD. Did any officials of the Polish Red Cross get in touch with you after the protocol of the international scientists had been signed?

Dr. BECK. Yes.

Mr. FLOOD. Who, when, where, and why?

Dr. BECK. To the best of my recollection it was the president of the Polish Red Cross, Dr. Czinski.

Mr. FLOOD. When was this?

Dr. BECK. Sometime in the first days of May of 1943.

Mr. FLOOD. Where did it take place, and why did they get in touch with you?

Dr. BECK. The office of the president of the Polish Red Cross was located at Warsaw. The president came to Krakow and requested me to place all these auxiliary personnel at his disposal in order to perfect the exhumation.

I wish to indicate that after the German Commission and the International Commission had terminated their activities, the entire exhumations were turned over to the Polish Red Cross.

Mr. FLOOD. Did you cooperate with and grant the request of the president of the Polish Red Cross?

Dr. BECK. Yes, I did, in every way.

Mr. FLOOD. Did you name any of your associates from your institute to assist?

Dr. BECK. Yes, I did.

Mr. FLOOD. Will you name them?

Dr. BECK. Those were the Polish doctors: Dr. Praglowski; then Dr. Wodzinski, both from Krakow; Lecturer Dr. Felz, as well as Dr. Manczarski, both from the subsidiary of my institute at Warsaw. In addition, there were a certain number of assistants for the dissections.

Mr. FLOOD. Did you instruct all of these people to work under the supervision of the Polish Red Cross?

Dr. BECK. Yes, I did.

Mr. FLOOD. Did you ever have any complaints from the Polish Red Cross that these people refused to cooperate, or would not work with them?

Dr. BECK. No, I did not.

Mr. FLOOD. After the exhumations were completed, in the summer of 1943, what happened?

Dr. BECK. All of the material discovered on the dead bodies, such as notebooks, passports, personal papers, personal property such as rings, bracelets, watches, wallets containing banknotes of various currencies and denominations, such as Polish, Russian, and American currencies—all of that collected material was taken to my institute at Krakow.

Mr. FLOOD. What was your procedure with reference to these documents and these personal belongings of the dead Polish officers? How did you take care of them?

Dr. BECK. First I wish to state that all of these objects were sent to Krakow by the Polish Red Cross in 14 boxes. The boxes were locked and I was handed the keys. Subsequently, and upon the request of the president of the Polish Red Cross at Warsaw, Dr. Czinski, I turned all of the objects over to the chemical department of my institute. In charge of the chemical department was Lecturer Dr. Robel.

Mr. FLOOD. Why were they turned over to the chemical section?

Dr. BECK. We had been requested to take those documents, which had been spoiled by a formation of decomposition wax, to a chemical laboratory and to make them again discernible and readable.

Mr. FLOOD. By "decomposition wax" you mean the result of the decomposition of the bodies found in the graves?

Dr. BECK. Yes; that is correct.

Mr. FLOOD. Do you have the names of the persons at your chemical division of the institute under Dr. Robel who were concerned with this matter?

Dr. BECK. Yes, I do.

Mr. FLOOD. Will you place those in the record, please?

Dr. BECK. Yes.

Mr. FLOOD. Spelling them, please, for the reporter.

Dr. BECK. Dr. Senkowska, a woman; Magistra Cholewinski; Dr. Szwed; lecturer Dr. Ackermannowna; and Dr. Paszkowska.

Mr. FLOOD. You turned over all of the documents that you had, the boxes and the keys that were in your possession, to the chemical institute, is that right?

Dr. BECK. Yes, and I handed the keys to the man in charge of my chemical section, a Polish doctor, Dr. Robel.

Mr. FLOOD. All right. What transpired?

Dr. BECK. During the course of this extensive work, extending over a series of months, there was a search for identification marks by which those documents might have been identified. For instance, at first we had to clean all of the objects, and subsequently we photographed them. Subsequently we applied chemical treatment to all of the documents, such as notebooks, passports, all written matter, and particularly as to letters, so as to make the faded writing, either pencil or ink writing, again legible. These jobs were frequently very tedious and extensive, and were not successful in all events.

In those instances, however, when we succeeded in making the writing legible again, we made photostatic copies of the documents, and subsequently we notified the members of the families of the killed Polish officers, as far as I had been able to ascertain them from the letters and the senders indicated on the letters.

Mr. FLOOD. What method did you use for keeping the items, documents, and personal belongings, of each separate body separate from the others?

Dr. BECK. The appropriate measures had already been taken at the place of the exhumations. The bodies were taken out of the graves one at a time, in sequence. Each body was individually searched for personal property and belongings, and after discovery the belongings in each instance were placed in a separate pouch, and subsequently, when the examinations were made, each pouch was produced individually and the contents of each pouch were treated and examined individually.

Mr. DONDERO. By "pouch" do you mean that they were placed in a large envelope?

Dr. BECK. Yes; I mean an envelope.

Mr. FLOOD. Did you keep in touch with these proceedings all the time that these matters were going through processing in your institute?

Dr. BECK. In the interests of the Polish Red Cross I daily supervised that work.

Mr. FLOOD. The term "doctor" is very common around here. What kind of a doctor are you?

Dr. BECK. A doctor of medicine.

Mr. FLOOD. Did you ever have occasion in your official capacity, in view of the fact that you were a doctor of medicine, to issue any death certificates in connection with this matter?

Dr. BECK. Yes; I did.

Mr. FLOOD. Now, Doctor, I direct your attention to the change of the Eastern Front, insofar as the military campaigns were concerned, in June and July of 1944, and ask you in what way the change in the military situation had anything to do with these documents and your work?

Dr. BECK. In the year 1944 I received an order by the commander of the security police to destroy the documents.

Mr. FLOOD. The commander of the security police, where?

Dr. BECK. At Krakow. The commander of security police for the entire general government.

Mr. FLOOD. That is the German occupation government?

Dr. BECK. Yes.

Mr. FLOOD. All right. What were the instructions?

Dr. BECK. It was a written instruction saying that all of the kept documents, including documents and personal property, originating from Katyn should be destroyed altogether in one lump, lest they fall into the hands of the Russians.

Mr. FLOOD. What was your reaction and that of your associates, and what did you do about it?

Dr. BECK. I refused to comply with those orders, on the following grounds:

It was my position that these documents, and particularly as to the written instruments, should be kept for the benefit of the Polish Nation, and particularly so for reasons in connection with any possible civil actions or legal actions.

At that time I was approached by Count Ronicker, chief of the Polish welfare organization, which was a sort of liaison organization between the Polish Nation and the German occupation government, as well as by the director of the Academy of Fine Arts, Dr. Pronaskou, with a request to do all I could and see to it that these documents would not be destroyed.

To begin with, we negotiated with the man in charge of the chemical department, Dr. Robel, and we made up our minds to distribute those documents amongst the reliable Poles and subsequently report to the security police that the destruction of the documents had been concluded. This plan, however, could not be effected because such a stench emanated from these documents that they could not be kept in private homes.

Eventually, after plenty of negotiations with the security police, and German Government agencies in the general government, I succeeded in receiving a permit to transfer these documents further west, to wit, to Breslau. In Breslau those boxes were placed in the Anatomical Institute, in view of the stench emanating also from these boxes.

Mr. FLOOD. How many boxes, and how were they marked?

Dr. BECK. There were 14 boxes, and there were larger inscriptions in black letters on them, "Institute Krakow Library."

Mr. FLOOD. Of what were the boxes made?

Dr. BECK. Out of stout lumber, with lids. There were no padlocks, but just normal locks were fitted in the boxes.

Mr. FLOOD. What was the size of the boxes?

Dr. BECK. I would estimate the size of the boxes as 1 meter and 50 in length, 70 centimeters in height, and about 60 centimeters in width.

Mr. FLOOD. What was done with the boxes at the Anatomical Institute at the University at Breslau?

Dr. BECK. The boxes were kept in a large, separate room placed at our disposal by the then director of the Breslau University.

Mr. FLOOD. And was any work done on them there?

Dr. BECK. Yes; the identification was continued. It was done by myself and Dr. Robel, the man in charge of my chemical department, going to Breslau time and again. We always received the finished, complete work, and we took out of the boxes new envelopes on which subsequent work was supposed to be done.

Mr. FLOOD. Now, in January of 1945, when the Germans evacuated Krakow, what did you do?

Dr. BECK. I was one of the last to leave Krakow, together with the officers of my administration. To begin with, we traveled to Breslau, and, once there, the first thing I took care of were the documents, these original documents, from Katyn. By reason of the further movement of the front line I had to make up my mind to transfer the boxes from Breslau.

We brought the boxes to Dresden. While we were standing guard over them in Dresden I contacted the police agencies in order to obtain proper and fitting storage room. However, I did not get any cooperation from the police agency, with one exception, that I was given one truck in order to haul the documents away. I then brought these original Katyn documents to a suburb of Dresden, Radebeul.

Mr. FLOOD. Where did you place them there?

Dr. BECK. At first they were placed in a private household, and subsequently, because the stench was too penetrant, they were placed in a storage room of the railroad forwarding depot, or the railroad forwarding department.

Mr. FLOOD. All right. Suppose you tell us what disposition you tried to make of these documents, where you wanted to take them, and why you couldn't get them there.

Dr. BECK. I intended to turn this collection of documents over to some agency of the International Red Cross.

Mr. FLOOD. Where?

Dr. BECK. According to my information, there was a single agency of the International Red Cross in the vicinity, and that was in Prague. Prague, at that time, was a hospital city, and that is why there was an agency of the International Red Cross. No German agency placed a vehicle at my disposal in order to take the documents to Prague. Therefore, I at first attempted to travel to Prague myself in order to have these documents subsequently picked up by the International Red Cross. This happened in the first days of May 1945. By reason of the vicissitudes of war I was not in a position to contact the agencies of the International Red Cross.

I then proceeded from Prague to Pilsen, after one specific road had been opened to traffic. I traveled there with the German Army. Pilsen had already been occupied by the United States Armed Forces. I then reported to some commanding officer, whose name I no longer know, and subsequently, after having told him my story, he gave me a pass to travel to Dresden.

While on my way to Dresden I learned that Dresden, in the meantime, had been occupied by the Russians, so I personally had no chance whatever to get into Dresden.

I then proceeded to the United States zone of occupation in Bavaria.

Mr. FLOOD. When did you enter the American zone?

Dr. BECK. In June of 1945.

Mr. FLOOD. What disposition, if any, did you hear subsequently was made of the boxes that were at the railway station in Dresden?



Dr. BECK. The boxes had been burned immediately prior to the Russians moving in.

Mr. FLOOD. By whom?

Dr. BECK. By the railroad forwarding agent.

Mr. FLOOD. Who told you that?

Dr. BECK. I myself had given this order. At that time we had quite a clear picture of the development of the war. We still anticipated and hoped that the Americans would occupy Dresden. However, in order to cover all possibilities, I had given an order that should the Russians come and occupy Dresden, the boxes should be burned.

Mr. FLOOD. Did you ever receive any information from anybody in Dresden after the Russian occupation that your orders had been carried out?

Dr. BECK. Yes, I did.

Mr. FLOOD. Now, the committee has been advised of the name of the person who gave you that order, and of the repute and standing of that informant. We can understand why you may not want to tell us, but, if you wish to, we would be glad to have the name of the person for the record, although the committee is aware of it anyhow. That is up to you.

Dr. BECK. For security reasons, and in the best interests of persons residing in the Russian zone who are connected with this business, I take it that it would be advisable not to mention or to divulge the name here in an open session.

Mr. FLOOD. This same informant was in touch with you or gave you information in connection with efforts made by the Russian secret service in connection with these documents at Katyn, and later, when they thought they were in Dresden?

Dr. BECK. Yes. The Russian secret police, by ways and means unknown to me, had learned of the storage place of these documents, or of these boxes, and had made several searches of the house of my parents, who were residing near Dresden. The Russians also traced the exact route of my flight up to the border of the Russian zone. The Russians searched the homes of all persons who sheltered me at that time, particularly so the houses of friends of mine. They lost track of me only at the zonal border.

Mr. FLOOD. Was anything done to your family?

Dr. BECK. My mother had been incarcerated at Dresden for more than half a year because the Russians wanted to learn my address.

Mr. FLOOD. How old was she then?

Dr. BECK. Sixty-two years of age.

Mr. FLOOD. How long was she in jail, if you know?

Dr. BECK. A bit more than 6 months.

Mr. FLOOD. Whatever happened to the railroad agent that burned these things at the station, if you have heard?

Dr. BECK. Yes; he has been deported, and the members of his family, even today, still don't know where he is.

Mr. FLOOD. Deported where and by whom?

Dr. BECK. By Russian police in those gray uniforms, with green bands around the caps; Russian secret police.

Mr. FLOOD. Why didn't you report these matters to the Nuremberg trials?

Dr. BECK. I did not report it because I had to figure I would be automatically arrested by virtue of my official position, the major

position I had held with the occupation government in Poland, and I had to figure on being extradited to the Russians right away. At that time surrender or extradition took place, without proper court proceedings, by the simple request of one of these commissions, which went about scouring the camps.

Mr. FLOOD. Doctor, it has been testified before this commission by various witnesses upon various occasions that certain of these bodies of the Polish officers found in the graves at Katyn had their hands tied behind their backs with either rope or wire. Have you ever heard of that?

Dr. BECK. Yes. I obtained current reports from my Polish collaborators, who had been working on these exhumations, and it had been reported that numerous of those Polish officers found at Katyn had their hands tied behind their backs with string. I was familiar with the protocol of this International Commission of Scientists, which had arrived at the same finding.

Subsequently, I requested my assistants to take the material used for the tying-up, and bring it to me.

I formerly engaged in criminological scientific investigation of material used for strangulation purposes or for tying purposes, and that is why I have been surprised that this international commission of scientists had arrived at the finding that the string used for the tying of the hands of the Polish officers was made of Russian hemp. Subsequently I made a thorough examination of that strangulation material, which I myself developed and published in 1947. My method has been repeatedly used; for instance, by the supreme court of Massachusetts, file No. 13 N. E., 206-382. I made a thorough examination of that material brought me, based upon my method, and I was in a position to determine and corroborate that that material was made of Russian hemp, and I was particularly in a position to positively determine that this material was not of German industrial manufacture.

Mr. MACHROWICZ. In this institute that you were operating in Krakow, the various sections of that institute, with the exception of the serologic department and the department of identification of arms, were actually headed by Poles; am I right in that?

Dr. BECK. Yes.

Mr. MACHROWICZ. And were these Polish doctors given a free hand to handle those departments?

Dr. BECK. Yes.

Mr. MACHROWICZ. You mentioned in your statement Dr. Marion Wodzinski. Do you remember him?

Dr. BECK. Yes; I do.

Mr. MACHROWICZ. Did he ever ask you to be relieved of his duties in that department that he headed?

Dr. BECK. No. However, I wish to add that, to the best of my recollection, Dr. Wodzinski left sometime before Christmas of 1944 and did not return.

Mr. MACHROWICZ. Did he leave voluntarily?

Dr. BECK. Voluntarily.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. We wish to thank you for coming here and testifying today, doctor.

Mr. FLOOD. Mr. Chairman, I would like to recall General Oberhaeuser.

Chairman MADDEN. Very well.

**FURTHER TESTIMONY OF GEN. EUGEN OBERHAEUSER (THROUGH  
INTERPRETER MOSTNI)**

Mr. FLOOD. General, will you sit down, please?

You testified the other day to some extent before the committee. At that time you were requested by the committee to prepare a map, a reproduction of a map, from which you testified at that time. Do you have such a map with you today?

General OBERHAEUSER. Yes; I do.

Mr. FLOOD. Would you let me have it, please?

(The witness produced a document.)

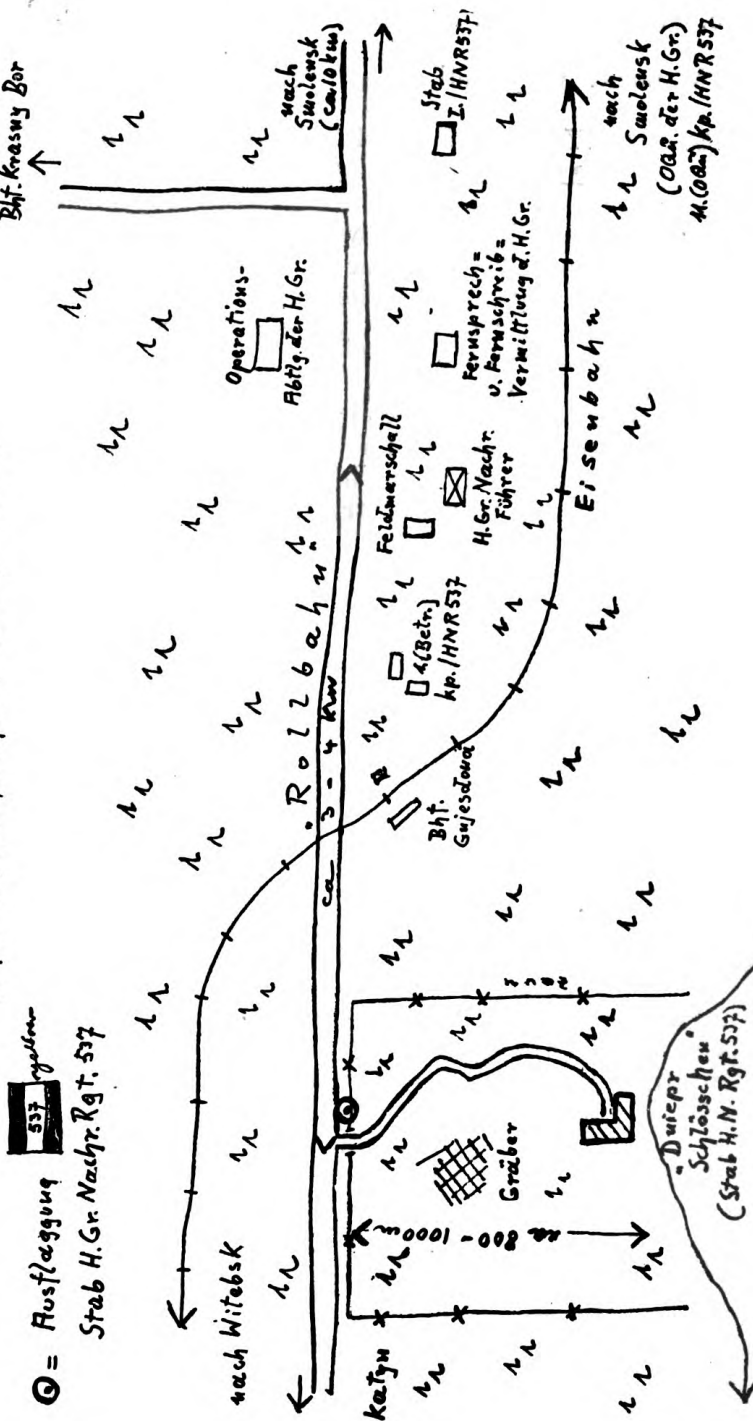
I now ask the stenographer to mark this as "Exhibit 74".

(The document referred to was marked for identification as "Exhibit 74" and follows:)

## EXHIBIT 74

Handskizze zum Fall Katyn.

(Ohne Maßstab, nach dem Gedächtnis gez.)



Oberleutnant  
 24.4.52

Exhibit 74 - Frankfurt  
 JPD

← M. Mikulino  
 2. (Funk) Kp./HNR 537  
 Funkzentrale der H.Gr.  
 (5-6 km)

Mr. FLOOD. I now show the witness exhibit No. 74 and ask him whether or not that is the map he has been requested to produce and has now just brought to the committee?

General OBERHAEUSER. Yes; it is.

Mr. FLOOD. I offer that map in evidence.

Chairman MADDEN. Thank you, General.

The committee will now recess until 2:30, because of the lateness of the hour, instead of 2.

(Whereupon, at 1:10 p. m., the committee recessed, to reconvene at 2:30 p. m.)

#### AFTERNOON SESSION

(The committee reconvened at 2:30 p. m.)

Chairman MADDEN. The committee will come to order, please.

The committee wants to recall Colonel Ahrens for the purpose of identifying certain photographs.

#### FURTHER TESTIMONY OF COL. FRIEDRICH AHRENS (THROUGH INTERPRETER MOSTNI)

Chairman MADDEN. Just be seated, Colonel.

Mr. FLOOD. You are the Colonel Ahrens who testified previously this week in connection with this matter; is that so?

Colonel AHRENS. Yes; it is.

Mr. FLOOD. At that time, the committee suggested that if you had any additional photographs in your possession we would appreciate it if you brought them.

Colonel AHRENS. Yes.

Mr. FLOOD. Or if there were any letters in your possession or the possession of your wife that had been addressed to you at your address in Germany, in Saxony, before you were transferred to Smolensk.

Colonel AHRENS. Yes.

Mr. FLOOD. Will you let me see those photographs, please?

(The witness produced several photographs.)

Mr. FLOOD. Will you show these to the stenographer and have these photographs marked for identification as exhibits 75, 76, 77, 78, 79, and 80.

(The photographs referred to were marked for identification as exhibits 75 through 80.)

Mr. FLOOD. I now show the witness the exhibits 75 through 80, as indicated, and ask the interpreter to read from the marked exhibit the number of that exhibit and ask the witness in seriatum, one by one, to tell us what each picture is and who are the persons on each photograph.

Mr. MOSTNI. Exhibit 75.

(The exhibit referred to, previously marked for identification as "Exhibit 75," follows:)

## EXHIBIT 75



Arrival of International Commission at Katyn.

Colonel AHRENS. This picture indicates the arrival of the panel of international experts of forensic medicine in April of 1943. The picture was taken in front of the so-called Dnieper Castle. It depicts Surgeon General Dr. Holm; his adjutant, Lieutenant Hodt, whose present address I also indicated, as well as myself. I am just about inviting this panel to have breakfast with me.

Part of this panel of international experts is not visible on the picture because they are obstructed by one of the guests.

Mr. MOSTNI. Exhibit 76.

(The exhibit referred to, previously marked for identification as "Exhibit 76," follows:)



## EXHIBIT 76



Colonel Ahrens greets medical experts.

Colonel AHRENS. This picture also indicates the arrival of this international panel of experts. I am just greeting the gentlemen.

The picture depicts as follows, from right to left: the female German doctor who had been mentioned here yesterday, who was also a member of the committee. I do not know the next person on the picture. The third person, however, is that of Dr. Tramsen, the Danish doctor who testified here yesterday; then Dr. Zietz, who testified subsequently; Surgeon General Dr. Holm, and my self.

I cannot identify certain of the gentlemen depicted on this photograph who are wearing German uniforms.

Mr. FLOOD. Was exhibit 76 taken at the Dnieper Castle, your headquarters?

Colonel AHRENS. Yes; on the very same place, in front of the Dnieper Castle, also in April of 1943—as has been noted on the reverse of the picture.

Mr. MOSTNI. Exhibit 77.

(The exhibit referred to, previously marked for identification as "Exhibit 77," was subsequently withdrawn to protect the identity of the individual photographed. See below.)

Colonel AHRENS. This picture indicates the Russian keeper of bees, who has been mentioned in my testimony.

Mr. FLOOD. By the Russian keeper of bees, do you mean the Russian couple living in the area of the Katyn woods and your headquarters, who discussed with you certain shootings that took place in that area some time previously? Is that it?

Colonel AHRENS. Yes; that is correct. That is the couple in question. This picture, however, indicates the husband only. Here he stands between General Oberhaeuser and myself.

Mr. FLOOD. Is that the General Oberhaeuser who testified yesterday and today?

Colonel AHRENS. That is the same General Oberhaeuser who was my superior then and there.

Mr. FLOOD. What is the answer to my question?

Colonel AHRENS. It is the same General Oberhaeuser who testified yesterday.

The name of the keeper of bees is noted on the reverse of the picture. I would prefer, however, not to read it aloud here.

Mr. FLOOD. All right, withdraw exhibit 77.

Mr. MOSTNI. Exhibit 78.

(The exhibit referred to, previously marked for identification as "Exhibit 78," follows:)

EXHIBIT 78



Colonel Ahrens talking to Russian bee keeper.

Colonel AHRENS. This picture indicates the very same persons, the keeper of bees, General Oberhaeuser and myself.

Mr. FLOOD. Then you do not want that one in, either, do you?

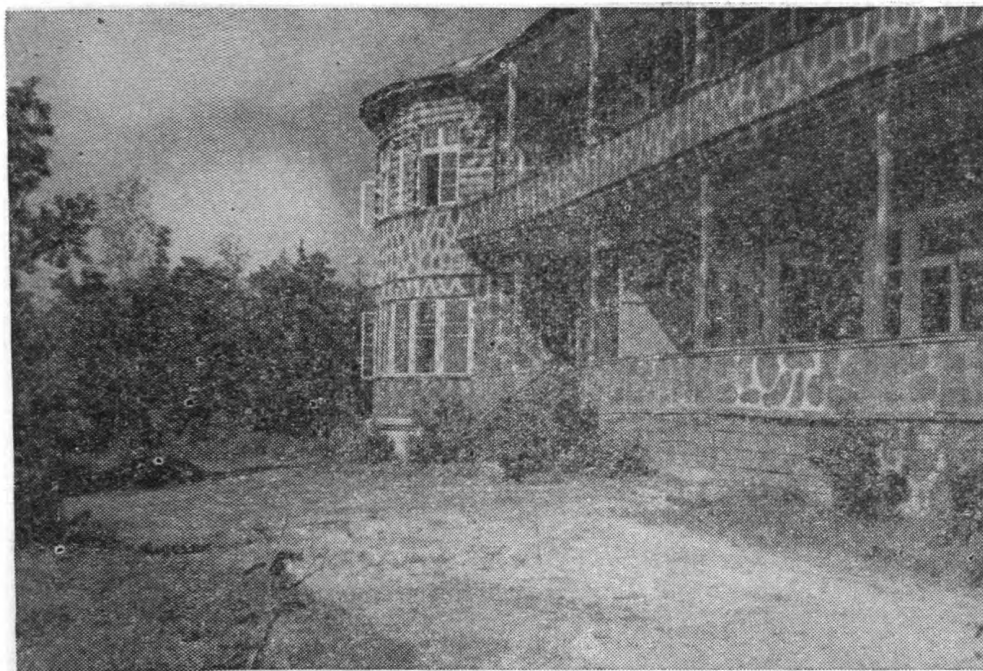
Colonel AHRENS. This picture may be included because it does not contain any name.

Mr. FLOOD. Very well.

Mr. MOSTNI. Exhibit 79.

(The exhibit referred to, previously marked for identification as "Exhibit 79," follows:)

## EXHIBIT 79



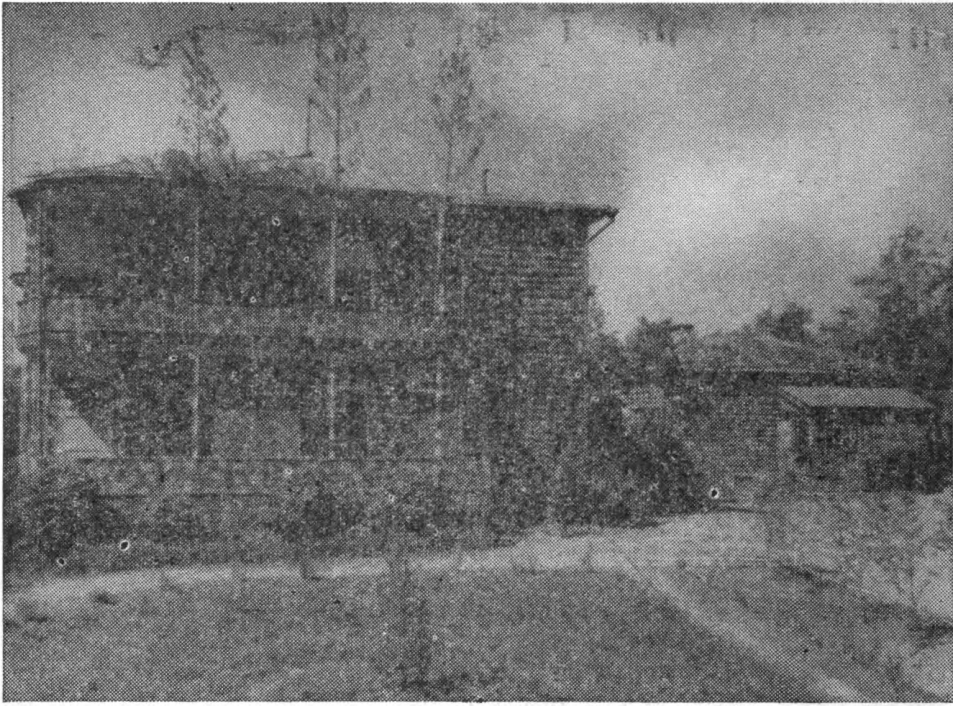
Dnieper Castle.

Colonel **AHRENS**. Exhibit 79 indicates a view of the Dnieper Castle, seen from the river side.

Mr. **MOSTNI**. Exhibit 80.

(The exhibit referred to, previously marked for identification as "Exhibit 80," follows:)

## EXHIBIT 80



Dnieper Castle, east side view.

Colonel AHRENS. Exhibit 80 is an east side view of the same castle. The building is camouflaged by small trees and depicts in particular the economic annexes to the building.

I had an opportunity to discover several cards or letters which can prove and corroborate that I have been living at Haale from July through November of 1941.

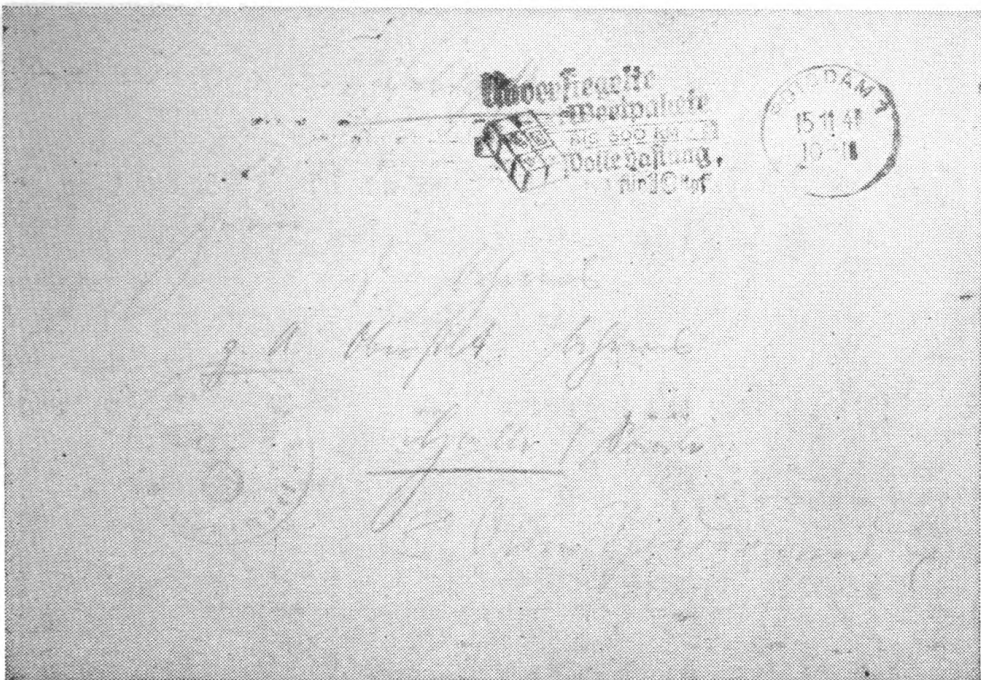
Mr. FLOOD. Will you let me have them, please?

(The witness produced some documents.)

Mr. FLOOD. I would like to have the stenographer mark the envelope as exhibit 81.

(The document referred to was marked for identification as "Exhibit 81" and follows, together with its contents:)

EXHIBIT 81



Envelope addressed to Colonel Ahrens in Halle, November 15, 1941.







gahlof. biterlicht man! -  
 Stipen lings fin ring!  
 Was ist young jungstig, da  
 man man rings so  
 In ekeig! Alle lings so  
 mit Gallfriden im Auf-  
 lutz. In Posen (Abt. Ia). Ist  
 ist jedes nach rings. In  
 fast. - Man langes ist  
 nach fin blieben ist frag-  
 lich. De jure zu befrucht  
 Jantzen. Man id de facto  
 vire pise nach. In man!  
 bingen, blintelig. Jantzen man  
 Lere. Ist. Ist fin man  
 Kontinuität. - Ist man

Letter—Continued.

Ich erwidere, bringe ich  
 mich nicht in die Lage,  
 einzugucken - n. demnach  
 geschehen sollen mein Ver-  
 weisung!!! Ich  
 kenne diesen Zustand an-  
 derer, soll ich auch!  
 Ich habe keine Chance  
 hier, ich bin glücklich,  
 weiß, was mich bringt  
 von heute. Ich bin in  
 Berlin, in. Ich mit  
 10. Hunderten, Grundge-  
 n. Hilfe. Ich bin  
 immer selbstständig. Ich  
 kenne ich meine eigene

Letter—Continued.



wobei schon fast immer ge-  
 füllt ist immer besser  
 sein bei Personale! -  
 Besonders junges und  
 sehr sehr schöne  
 in mehr Jahren der Zeit  
 von ihnen geborenen  
 Hilfen.  
 Bei Liegend nur zureichend  
 kommen kann.  
 Auf diese Zeit kann nicht, da  
 keine Person auf mehr kommen. Es  
 muss es auch sein.

Letter—Continued.







Mr. FLOOD. I now show the witness three documents, an envelope containing two pieces of a letter, and ask him if they are the envelope and letter he has described as being evidence of his residence in Germany between July and November 1941?

Colonel AHRENS. Yes. However, I shall endeavor to present some more similar evidence.

Mr. FLOOD. We will be glad to have it.

Chairman MADDEN. Thank you, colonel.

#### TESTIMONY OF DR. ROBERT KEMPNER, LANSDOWNE, PA.

Chairman MADDEN. Robert Kempner.

Does it make any difference to you whether you are photographed, or not?

Dr. KEMPNER. I have no objection.

Chairman MADDEN. Give the reporter your name and address Mr. Kempner.

Dr. KEMPNER. Robert Kempner; 112 Lansdowne Court, Lansdowne, Pa.

Chairman MADDEN. Mr. Kempner, before you testify, it is our wish to invite your attention to the fact that, under German law, you will not be liable for slander or libel, either in civil or criminal proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as a result of your testimony.

Do you understand that?

Dr. KEMPNER. I do.

Chairman MADDEN. Now will you raise your right hand and be sworn?

Do you swear, by God the Almighty, that you will, according to your best knowledge, tell the truth, the whole truth, and nothing but the truth, and not conceal anything; so help you God?

Dr. KEMPNER. I swear.

Chairman MADDEN. Proceed, Mr. Dondero.

Mr. DONDERO. How old a man are you?

Dr. KEMPNER. I am 52.

Mr. DONDERO. What is your business or profession?

Dr. KEMPNER. I am a lawyer and political scientist.

Mr. DONDERO. Where were you born?

Dr. KEMPNER. I am born in Freiburg, Germany.

Mr. DONDERO. When did you graduate in the profession of the law?

Dr. KEMPNER. First in '22 and the second admission to the bar in 1926.

Mr. DONDERO. Where?

Dr. KEMPNER. In Berlin.

Mr. DONDERO. Was that in 1923?

Dr. KEMPNER. 1927.

Mr. DONDERO. Did you begin the practice of the law in Berlin, Germany?

Dr. KEMPNER. That is correct, Your Honor.

Mr. DONDERO. How long?



Dr. KEMPNER. I started in 1922 after the first examination, and I ended in Berlin in 1934-35.

Mr. DONDERO. After 1935, did you continue to practice law?

Dr. KEMPNER. No.

Mr. DONDERO. What did you do?

Dr. KEMPNER. I taught in Italy and in France.

Mr. DONDERO. Did you lecture on law in the United States?

Dr. KEMPNER. Yes, Your Honor.

Mr. DONDERO. Where?

Dr. KEMPNER. In comparative law and international law and also in political science, I lectured at the University of Pennsylvania; also in Michigan, in Ann Arbor.

Mr. DONDERO. Was that the University of Michigan?

Dr. KEMPNER. Yes, your Honor.

Mr. DONDERO. At Ann Arbor?

Dr. KEMPNER. At Ann Arbor.

Mr. DONDERO. How long?

Dr. KEMPNER. At West Point and various other schools.

Mr. DONDERO. On what subjects did you lecture at West Point?

Dr. KEMPNER. Various times on German-Russian relations.

Mr. DONDERO. Do you understand that West Point is the Military Academy of the United States?

Dr. KEMPNER. Yes, Your Honor, that is the Military Academy of the United States.

Mr. DONDERO. How long did you lecture in the United States at the three places you named?

Dr. KEMPNER. I lectured at various schools and places between 1939 and 1951.

Mr. DONDERO. All in the United States, or here in Europe as well?

Dr. KEMPNER. In the United States; also in Switzerland and also in Germany.

Mr. DONDERO. Where were you in 1939?

Dr. KEMPNER. In France and in the United States.

Mr. DONDERO. Where were you during the recent war, or World War No. II?

Dr. KEMPNER. In the United States.

Mr. DONDERO. When did you come back to Europe?

Dr. KEMPNER. The first time I came back after World War II was in July or the beginning of August 1945.

Mr. DONDERO. What was the purpose of your return to Europe?

Dr. KEMPNER. I was at that time connected with the War Department and was on loan to Justice Robert H. Jackson's prosecuting staff.

Mr. DONDERO. Do you mean to say that you were connected with the War Department of the United States?

Dr. KEMPNER. Yes, your Honor.

Mr. DONDERO. Were you connected at one time with the German Government?

Dr. KEMPNER. Yes, your Honor.

Mr. DONDERO. How long?

Dr. KEMPNER. Until 1933.

Mr. DONDERO. And in what capacity?

Dr. KEMPNER. I was senior Government counselor and of kind of general counsel of the German police system.

Mr. DONDERO. Was that in the further practice of the law?

Dr. KEMPNER. The general counsel's job was a legal job with the pre-Hitler German Government.

Mr. DONDERO. And that would be before 1933, would it?

Dr. KEMPNER. Yes, your Honor.

Mr. DONDERO. Just what date did you become connected with the War Department of the United States, as far as you can remember?

Dr. KEMPNER. I think I switched from the Department of Justice in Washington to the Department of War in the beginning of 1945.

Mr. DONDERO. Was that when you came back to Europe?

Dr. KEMPNER. That was before.

Mr. DONDERO. What is your recollection as to when you came back to Europe as a representative of the War Department in Washington?

Dr. KEMPNER. It was in July or beginning of August 1945.

Mr. DONDERO. Who employed you at that time?

Dr. KEMPNER. I was on the payroll of the Judge Advocate General.

Mr. DONDERO. Of the United States?

Dr. KEMPNER. Of the United States.

Mr. DONDERO. Did you take any part in the Nuremberg trials?

Dr. KEMPNER. Yes, Your Honor.

Mr. DONDERO. With whom were you associated there?

Dr. KEMPNER. I was a member of the American prosecution staff.

Mr. DONDERO. Who was the head of that staff?

Dr. KEMPNER. Justice Robert H. Jackson.

Mr. DONDERO. Then you were one of the assistant prosecutors; is that correct?

Dr. KEMPNER. I was at that time one of the assistant prosecutors.

Mr. DONDERO. And from either July or August 1945 you were then at the Nuremberg trials after that date, were you?

Dr. KEMPNER. That is correct, Your Honor.

Mr. DONDERO. How long?

Dr. KEMPNER. I came for 30 days and remained until September-October 1949.

Mr. DONDERO. How many years and months would that be?

Dr. KEMPNER. About 4 years and 3 or 4 months.

Mr. DONDERO. And while you were at Nuremberg did the subject of the Katyn massacre come before the court?

Mr. FLOOD. Before you proceed with the matters of the Nuremberg trial itself, suppose you outline, just for the record, so we'll know what we're talking about later, briefly, but reasonably detailed, the agreements at the London meeting between the powers how the jurisdiction of the counts decided upon were distributed among the nations; how the Katyn matter became identified as a count or an indictment; the differences in procedure at the Nuremberg trials as distinguished from the English common law as practiced in the United States of America, with particular reference to motions to quash indictments or motions for nol. pros.; and in what manner were counts, as we say in the English common law, or charges, presented under the Nuremberg practice.

Dr. KEMPNER. I must mention in the beginning that I was not present in London when the agreement was made, and I am sure my superior at that time, Justice Robert H. Jackson, can tell this much better than I; but since I practiced this matter for 4½ years, I think I can answer the question of the committee.

After the London Agreement of 1945, which was backed by 20 or more Allied states, not only by the Big Four powers, but also by the Danish, by the Dutch, and all the other nations who were at war in Germany, a dividing line had to be made how to handle that big trial. The first Nuremberg trial, the so-called big international trial, had four counts, and these counts were more or less drawn up according to Anglo-Saxon law. There were certain continental points in it, but I don't want to go into that now.

The first count was a common plan and conspiracy to commit crimes against peace, war crimes, and crimes against humanity. The second count was crimes against peace. The third count was called war crimes, and if I saw war crimes, I mean war crimes in the old conservative sense—violation of the Hague Convention, the Geneva Convention, and similar. The fourth count was crimes against humanity. That was something new in the form. We old reactionary criminal lawyers just called it murder and similar things.

MR. MACHROWICZ. May I just interrupt there for the record so there will be no misunderstanding? Will you explain what you mean by reactionary criminal lawyers?

DR. KEMPNER. The people who call murder just murder, but I will refrain from any antistatements.

Now, the big battle started how should these four counts be divided up among four nations that participated—the United States, the British, the French, and the Russians, and the division which came out was as follows, and I saw the very great outline. There were a lot of details which I think are of no interest to the particular problem here. Common plan and conspiracy (count I) and crimes against peace (count II) were handled by the United States and the British.

Chairman MADDEN. I didn't get that last.

DR. KEMPNER. Count I, conspiracy, and count II, crimes against peace, were handled by the United States and by the British. Count III, war crimes, and count IV, crimes against humanity, were divided up according to geographical regions or districts. The French handled the war crimes and crimes against humanity as far as Western Europe was concerned. They were, so to speak, spokesmen, the prosecuting spokesmen, for the French, for the Dutch, for the Belgians, and other German occupied western territories. The Russians were in charge of war crimes and crimes against humanity which were allegedly committed in the eastern areas, and if I say eastern areas I mean the Soviet Union, Poland, and at the time they handled also Yugoslavia, and Bulgaria, Czechoslovakia.

MR. FLOOD. Let me ask you as you best remember, and it is only your best recollection, was there any actual geographic demarcation line drawn or was it just a general distinction?

DR. KEMPNER. If I remember, it was a clear-cut agreement between the four nations at that time.

MR. FLOOD. I understand the agreement was clear-cut, but what I am trying to find out is was there any actual demarcation line actually drawn from point A to point B geographically to make the difference between the East and the West, as far as jurisdiction was concerned?

DR. KEMPNER. I don't think so, Your Honor. I think it was kind of a general practice. Everybody handled it this way.

Mr. O'KONSKI. In what was Germany proper before the war—who had the responsibility there, the Russians or the French?

Dr. KEMPNER. There the question of nationality played a role. If the victims were, for instance, Russian prisoners of war, the Russians handled it, and if they were slave labor camps with French inmates, the French handled it.

Mr. O'KONSKI. Suppose the victims were Poles? Who handled them, the Russians or the French?

Dr. KEMPNER. Mostly the Russians, but since sometimes camps had French and Polish inmates and even Hungarian inmates; then it was just up to the prosecutors who said maybe, "No, that's Russian stuff. Don't bother me with that." You know how that is in a trial.

Mr. MACHROWICZ. Specifically then, under the circumstances which you know of as existing then, would the Katyn Forest incident come under the Russians or the French jurisdiction?

Dr. KEMPNER. The Katyn affair was a clear-cut Russian affair and was handled right from the beginning by the Russians.

May I ask Your Honor very humbly to give me leading words what the first topic is?

Mr. FLOOD. The first topic is have you, in your opinion, described for the committee how the different jurisdictions were set up? Are you satisfied with that?

Dr. KEMPNER. I think I am, if you are.

Mr. FLOOD. You have told us in what jurisdiction the Katyn matter fell and why. Now, we are down finally to the difference in procedure in Nurnberg and the English common-law system.

Dr. KEMPNER. The first topic, the indictment. The Nurnberg indictment which was drawn up by all the four nations was pretty similarly done to an Anglo-Saxon indictment. However, I would say there were more particulars in the indictment than we would do it normally in the United States. Not to the satisfaction of the defendants who wanted even more according to continental law. The indictment had four counts, as I already have said. In the rules and procedures of the court there was no provision, as we would say, to quash the indictment. We had no such provisions. However, there were instances where German counsel asked for something which might come pretty near to such a procedure. For instance, the lawyer of Goering, Mr. Stahmer, made a motion or, as he called it, an application, after the evidence in the Katyn case was heard, to move that this part should be stricken.

Mr. FLOOD. You mean stricken from the record?

Dr. KEMPNER. As I remember, a kind of removing from the indictment.

Mr. MACHROWICZ. May I ask at that point, was that before or after the testimony on that particular point of the indictment was offered?

Dr. KEMPNER. This was after the witnesses on Katyn were heard.

Mr. FLOOD. Now, what about a nol pros?

Dr. KEMPNER. That didn't exist. It practically never came up; something like that.

Mr. FLOOD. So that a motion for a nol pros under the English common law system made either by one of the parties or the prosecution did not exist under the Nurnberg procedure?

Dr. KEMPNER. During the first trial it never came to my attention. Later we did it.

Mr. FLOOD. There's only one more part of that procedural question: In what manner were the counts presented or the charges brought before the Court or the Tribunal by each of the member nations?

Dr. KEMPNER. First, certain general questions were handled and presented to the court, based on trial briefs. Each trial brief was supplemented by a document book, mostly captured original German documents, and it was presented like in an American or English court—first, the opening statement of the chief prosecutor for the Americans, Justice Jackson. The British was Sir David Maxwell-Fyfe, who is now Minister of the Interior, and I think for the Russians it was General Rudinko. For the French, among others, Edgar Faure, the French Prime Minister, who was French Prime Minister during the last 2 months or so. Then another way of presentation started. We wrote trial briefs against each individual defendant, together with document books, a kind of catalog lining up each defendant with the various things. In fact, I was in charge of the division which had to write these trial briefs on the individual defendants.

Mr. DONDERO. Now, Mr. Kempner, coming right down to the Katyn question, how specific was the count drawn in that case?

Dr. KEMPNER. The Katyn case was mentioned in the indictment under count III, subsection C, that means mistreatment, and so forth, of prisoners of war. Count III, subsection C, and if I remember, it was drawn up just in three or four lines, printed line, in the indictment.

Mr. DONDERO. Who drew it up?

Dr. KEMPNER. To my best knowledge, the Russians.

Mr. DONDERO. What was the specific charge in that count?

Dr. KEMPNER. The specific charge was and, if I may, I want to refresh my memory—the specific charge was as printed in the indictment in volume I, page 54, of the record of the International Military Tribunal, page 54, which reads, and I have to correct myself because these are only two lines and not three or four lines as I said.

Now, I am refreshing my memory and see that the indictment says:

In September 1941, 11,000 Polish officers \* \* \*.

Mr. FLOOD (interposing). As a matter of fact, you are reading directly from the record, are you not?

Dr. KEMPNER. I am reading now from the record, volume I, page 54:

In September 1941, 11,000 Polish officers were killed in the Katyn Forest near Smolensk.

Mr. MACHROWICZ. Have you read the complete charge in the indictment, so far as Katyn is concerned?

Dr. KEMPNER. Yes, your Honor, I did so.

Mr. DONDERO. Now, when did this case come before the court, during the beginning of the Nurnberg trials or toward the end?

Dr. KEMPNER. The first time evidence was submitted or alleged evidence was submitted by the Russian prosecution was in the middle of the trial. In fact, on February 14, 1946.

Mr. DONDERO. In what form did they submit the evidence?

Dr. KEMPNER. The evidence submitted at that time by the Russian prosecutor, Colonel Pokrovsky, was a Russian document which had the document number U. S. S. R. 54, and this document was a report written by a Russian state commission, as they called it, and in this report there were details about the alleged massacre which I have men-

tioned as part of the indictment, and this is in the record of the International Military Tribunal, volume VII, pages 425 to 427.

Mr. MITCHELL. Isn't that volume XVII?

Dr. KEMPNER. Volume VII.

Mr. DONDERO. Now, that report, Mr. Kempner, is the report of the Russian Commission appointed by the Russian Government to examine the question of Katyn?

Dr. KEMPNER. Yes, your Honor.

Dr. DONDERO. What is the date of that report?

Dr. KEMPNER. I don't know the date. I have forgotten the exact date.

Mr. DONDERO. After the Russians presented their charge in the form of this report, was there anything done on the part of the Governments of the United States, the British, or the French?

Dr. KEMPNER. Nothing at all.

Mr. DONDERO. When did it come up again, the question of the Katyn massacre?

Dr. KEMPNER. This question just came up just about 1 month later, namely, on March 8, 1946.

Mr. MACHROWICZ. One question there; so there will be no misinterpretation: Nothing was done by the Americans, British, or French because, under the method you have described here previously, there was nothing that should have been done or could have been done by the Americans, British, or French, is that correct?

Dr. KEMPNER. That is correct. We had no right to interfere in any way.

Mr. DONDERO. When it came up a month later, then what happened?

Dr. KEMPNER. On March 8, 1946, the defense took it up.

Mr. FLOOD. May I interrupt at this time to point out, in fairness to the witness, that the chief counsel of the German defense was whom?

You may not be able to decide who that was.

Who was the counsel for Goering?

Dr. KEMPNER. I don't want to answer the first question because of certain professional—

Mr. FLOOD (interposing). All right.

Who was the counsel for Goering?

Dr. KEMPNER. The very distinguished lawyer from Schleswig-Holstein, Mr. Otto Stahmer.

Mr. FLOOD. I think you would like to know that Dr. Stahmer is now in the courtroom at this moment.

Dr. KEMPNER. I am glad to see again the fighter from the other side.

Mr. FLOOD. Will you stand up, Dr. Stahmer?

Mr. DONDERO. Tell the committee then what happened when the defense brought it up.

Dr. KEMPNER. On that very day, Mr. Stahmer stood up and made something, which was translated into English, an application, I would rather call it a motion, and his motion was—I say it shortly: "I do not believe that my client and the persons mentioned in the Russian document are guilty or connected with this Katyn case, and I want to have witnesses," he said, and he asked at that time for a Colonel Ahrens, a Lieutenant Rex, and a General Oberhaeuser, and a Lieutenant Graf Berg, and he also mentioned that he wanted to have as a witness for the defense or an expert witness, a Professor Naville, from



Geneva, and Chief Justice Lawrence, as always, said: "Put it in writing," and all this happened on March 8, 1946, and I am referring to volume IX pages 3 and 4, of the blue volumes of the record of the International Military Tribunal.

Mr. DONDERO. Who was Justice Lawrence?

Dr. KEMPNER. That was the chief justice, who was a Britisher.

Mr. DONDERO. Tell the committee just what happened?

Dr. KEMPNER. There was another very short discussion because Mr. Stahmer complained that he had not received copies of the famous Russian State Commission report.

Mr. MITCHELL. Were you present in court at the time of this discussion?

Dr. KEMPNER. I remember I was at that time in court.

The answer was that 30 copies were already at the translators' room. I think that is written down in volume IX, page 28.

Mr. MITCHELL. One question: Did Dr. Stahmer put it in writing when the judge told him to, to your knowledge?

Dr. KEMPNER. I cannot say. I can only draw the conclusion that he did so.

Mr. MITCHELL. You don't know yourself, though?

Dr. KEMPNER. I don't know myself, and I can draw the conclusion from the thing which follows right now.

Mr. DONDERO. In other words, Dr. Stahmer, the attorney, demanded that witnesses be called?

Dr. KEMPNER. Yes; and he did so very energetically.

Mr. DONDERO. Tell the committee just what happened in regard to the arrangements for witnesses.

Dr. KEMPNER. This motion about witnesses was translated into four languages, which always took some time, and on May 11, 1946, the Russian, Colonel Pokrovsky, announced the motion in open court, and he said literally: "The prosecution protests very energetically \* \* \*" In fact, he didn't say "the prosecution," he said: "The Soviet Union, the prosecution of the Soviet Union, categorically protests against witnesses," and then Chief Justice Lawrence made one remark, and after that very remark, Colonel Pokrovsky gave in in some way.

Chairman MADDEN. What remark did Justice Lawrence make there?

Dr. KEMPNER. I don't know. I am not able to quote it really, but it was some remark which is in the record in volume XIII, page 430.

Chairman MADDEN. Have you that volume here?

Mr. DONDERO. The witness refreshes his memory from the record.

Dr. KEMPNER. I refresh my memory, and with your permission, I am reading this remark from page 430: "PRESIDENT OF THE COURT: Colonel Pokrovsky, we have this matter fully in our mind and we have already had to consider it. Therefore, it is not necessary for you to deal with it in detail, for I understand that these are new witnesses who have not before been applied for."

Chairman MADDEN. Now, what did President Lawrence mean by that remark?

Dr. KEMPNER. It's rather difficult for a prosecutor or lawyer to interpret a judge, but, if I understand it well, then he meant: "You better be careful and I think we will do something about it."

Mr. DONDERO. Were witnesses agreed upon and the number?

Dr. KEMPNER. At that time there was a further discussion, and the Russian, Colonel Pokrovsky, said, more or less to the court: "If the defense wants 2 witnesses, we, the Russians, want 10 witnesses."

Mr. MITCHELL. Was it the customary procedure of the court to grant such requests?

Dr. KEMPNER. Not such wild ones, I would say.

Mr. DONDERO. Did they finally agree upon the number of witnesses upon each side?

Dr. KEMPNER. The judge, in what at that time I thought was a very wise way, said: "Each of you three." That was the ruling which was later pronounced—each side three. That's all.

Mr. MITCHELL. Three witnesses?

Dr. KEMPNER. Three witnesses.

Mr. DONDERO. Did each side present three witnesses?

Dr. KEMPNER. Anyhow, he made this ruling: "Three witnesses," and then something happened, Your Honor, which I do not know, because the American prosecution had nothing to do with it, but I know that some coming together between the Russian prosecution and the German defense happened.

Mr. MITCHELL. I would like to ask here a procedural question.

When the defense or the prosecuting lawyers on either side wanted to have a conference, official conference, to whom did they go to arrange such a meeting?

Dr. KEMPNER. When we Americans had something, I just went to the German lawyers and said, "What are you doing, and what should I do?" However, when a question with the Russians was involved, the German lawyers went, as we would say in the United States, to the clerk of the court, he should arrange a meeting, or, as it was said or as the official name was in Nuremberg, the secretary general.

Chairman MADDEN. Before Mr. Mitchell asked his question, you stated something happened then between the Russian prosecution and the German defense. What did you mean by that?

Dr. KEMPNER. A talking about the ruling of the court, that each side has a right to have three witnesses, whether they really would have three or maybe two are enough, or whether they might do it in affidavit form or something like that. But I was not present.

Chairman MADDEN. What happened? Was there a decision made?

Dr. KEMPNER. Anyhow, on June 29, 1946, which was 1 month later, Justice Lawrence asked the Russian colonel, who was a prosecutor, a kind of judge advocate, "Did you come to an agreement?" He asked him in open court, "Did you, Russian Prosecutor, make an agreement with German counsel about the three witnesses?"

Mr. MITCHELL. May I pause a minute there?

You referred to the so-called clerk of court, as called in the American system, or as he was called at Nuernberg—what was it?

Dr. KEMPNER. Secretary General.

Mr. MITCHELL. Who was that?

Dr. KEMPNER. I think at the time there were certain changes. There was some clerk of the Supreme Court from Washington first, but I think at that time, his successor was—I am not a hundred percent sure, but I think it was a General Mitchell.

Mr. MITCHELL. An American?

Dr. KEMPNER. An American general.

Mr. DONDERO. Now, Mr. Kempner, you are in court, the court has called up the case, he asked you, for the prosecution and the defense, if you had come to an agreement; and your answer was that you had?

Dr. KEMPNER. Not my answer but the answer of the Russian attorney, and I think also of Mr. Stahmer. And the answer was there was some agreement between prosecution and defense, "And we just can go ahead."

Mr. FLOOD. I think the record should be very clear at this point that whatever discussion you are talking about, or whatever discussion there was with the court about agreements as to the number of witnesses was a matter between the court, the Russians, and the Germans, and nobody else; is not that it?

Dr. KEMPNER. That is right. And I testify only on matters which I saw in court, or heard.

Chairman MADDEN. You were acting in the capacity of an observer or a spectator, were you?

Dr. KEMPNER. The American prosecution was always represented. We had our own table and we were present.

Chairman MADDEN. You were participating then?

Dr. KEMPNER. Yes.

Mr. MITCHELL. No.

Mr. FLOOD. One moment.

I want the record to show—I repeat it again for the purpose of emphasis—that whatever agreements were made in the open court, that you are talking about and that you saw or heard, were made between the court, the Russian prosecution, and the German defense; is not that right?

Dr. KEMPNER. That is absolutely correct, and the records shows so.

Mr. FLOOD. And you were present in the court merely as an attaché of the American side.

Dr. KEMPNER. I was one of the representatives of the American side.

Mr. FLOOD. Apparently, I have to spell this out three times. You did not, for the Americans, participate in any of these agreements that we were talking about, with the Russians and Germans.

Dr. KEMPNER. I did not; and, to my best knowledge, none of my American or British colleagues did so.

Mr. DONDERO. After this matter came up the second time, that you have just described, did it come up again before the court?

Dr. KEMPNER. Yes, your Honor. Just 2 days later this defense presented the three witnesses.

Mr. DONDERO. Did the Russians present any witnesses?

Dr. KEMPNER. Yes; your Honor.

Dr. DONDERO. Who were the German witnesses?

Dr. KEMPNER. The German witnesses—and the record of the Tribunal, volume 17, page 274, shows so, that the first German witness Mr. Stahmer presented was Mr. Friedrich Ahrens.

Mr. DONDERO. I think you have already testified to that. My attention has just been called to it.

Now, that was 2 days after the agreement or discussion about the witnesses.

Dr. KEMPNER. Yes, your Honor; on July 1.

Mr. DONDERO. What year?

Dr. KEMPNER. 1946.

Mr. DONDERO. What happened in regard to the Katyn case in court after that, if you know?

Dr. KEMPNER. After Mr. Stahmer was through with his three witnesses and the Russians were through with their three witnesses——

Mr. DONDERO. In other words, what did the court do?

Dr. KEMPNER. Mr. Stahmer made, 3 days later, on July 5, his final plea for Goering.

Mr. DONDERO. The question is: What did the court do?

Dr. KEMPNER. I made a little mistake. There is something that happened before.

The Soviets were not very enthusiastic about the thing and said, "We brought only these two or three witnesses; this is pretty bad. We want to have many more witnesses, up to 120 or something like that." And Mr. Stahmer stated for the defense, "Okay, if we get equal numbers." And Justice Lawrence, if I am right, said, more or less, "We are through; each side had three witnesses."

And 3 days later, Mr. Stahmer made already his final statement, because these were really the last witnesses of the whole trial.

Mr. DONDERO. Do you mean the Nuremberg trial?

Dr. KEMPNER. The Nuremberg trial.

Mr. DONDERO. After that happened, what did the court do, if anything?

Dr. KEMPNER. I want to say shortly, Mr. Stahmer said, "No proof," in his final statement on July 5. And a couple of days later, on July 29, 1946, the Russian prosecutor made his statement, his final statement.

Mr. DONDERO. What did he say?

Dr. KEMPNER. Volume 19, page 583—and he didn't mention Katyn at all——

Mr. DONDERO. The question has been left unanswered. What did the court do after that, if anything?

Dr. KEMPNER. The court didn't mention the Katyn case any more, and so far as I know the judgment, the word "Katyn" had not been mentioned in the judgment October 2, 1946.

Mr. DONDERO. So that the case of the Katyn massacre was left undecided?

Dr. KEMPNER. The court made no finding.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. From your observation, when the Katyn matter came up did the judges sitting at the trial show a sincere interest in establishing guilt one way or the other for those murders or were they more interested in letting it drop just as fast as possible?

Mr. MACHROWICZ. Mr. Chairman, may I say that I think it was agreed with counsel that he should express whatever facts he knows of and whatever observations he made, and I think it would be unfair for the committee to ask the counsel to express an opinion, unless he wishes to do so—an opinion particularly of this kind.

Mr. O'KONSKI. I will drop the question, but I have some more questions. I withdraw the question.

Mr. MACHROWICZ. Do you care to answer?

Dr. KEMPNER. No. It is a little difficult to talk about my own judges. It might be contempt of court and it might be admiration, and I don't want to say anything.

Mr. O'KONSKI. I will withdraw the question, then.

Dr. KEMPNER. Thank you.

Mr. O'KONSKI. I have some more questions, and these are not questions of opinion; these are questions of fact from your observation.

The United States and Great Britain were given the responsibility of preferring charges at the trial for a plan of conspiracy and crimes against peace; is that not correct?

Dr. KEMPNER. Yes; and a conspiracy to commit such crimes and war crimes and crimes against humanity.

Mr. O'KONSKI. Did the United States and British delegations at Nuremberg trials prefer the charges of an act of aggression and a breaking of nonaggression treaties by Russia against Finland in 1938 and 1939?

Dr. KEMPNER. Not to my knowledge.

Mr. O'KONSKI. Did the British and American delegations bring the charges, since it was within their category, since they were charged with plans of conspiracy and crimes against peace, prefer the charge of Russia's aggression against Latvia and the breaking of the non-aggression pact with Latvia by the Russians?

Dr. KEMPNER. Not to my knowledge.

Mr. O'KONSKI. Did they prefer any charges before the Nuremberg trials on Russia's aggression and breaking of a nonaggression treaty with Estonia?

Dr. KEMPNER. Not to my knowledge.

Mr. O'KONSKI. Did they bring any charges of Russia's aggression and violation of a nonaggression pact with the country of Lithuania?

Dr. KEMPNER. No.

Mr. O'KONSKI. Here is an important one: Did the British and the American delegations bring the charge before the Nuremberg trials of Russia's attack on Poland in league with Hitler when he first started the war and the breaking of the nonaggression pact with Poland?

Dr. KEMPNER. No.

Mr. O'KONSKI. In other words, at the Nuremberg trials, the only charges of aggression and treaty violation that the United States and Great Britain brought before the Nuremberg trials were those which were committed by the Germans?

Dr. KEMPNER. At that time; yes.

Mr. O'KONSKI. That is all.

Mr. MACHROWICZ. Just one question.

I would like to return to the Katyn case, but I am going to ask just one question to clear some of the matters.

In view of the fact that this was a four-power tribunal, could the United States or Great Britain prefer any charges against another member of that tribunal, Russia?

Dr. KEMPNER. Of course not. It was a time of a warm peace and not of the cold war.

Mr. O'KONSKI. In that connection, I wish to state that there were four judges—were there not—one Russian, one Frenchman, one Englishman, and one American, and they could have decided, if it had not been brought up, that it could be brought up?

Dr. KEMPNER. That is a very difficult type of technical, \$64, question and I really have not the answer, Your Honor, I am sorry.

Mr. MACHROWICZ. Returning to the Katyn case, I am going to ask just a few questions.

Am I correct in assuming, from the testimony which you have given thus far, that you have given this committee the understanding that the entire responsibility for the presentation of the case, insofar as Katyn is concerned, was placed upon the Russian representative?

Dr. KEMPNER. Yes, Your Honor. The Russians had the sole responsibility.

Mr. MACHROWICZ. And am I correct also in assuming that the Russian representative upon whom this responsibility was placed failed completely in his final argument to the courts to even mention the Katyn case.

Dr. KEMPNER. Yes, Your Honor. After that debacle with the witnesses they didn't press it any longer.

Mr. MACHROWICZ. And am I correct in understanding that the four-power court failed completely in its judgment to mention the Katyn case?

Dr. KEMPNER. To the best of my knowledge and after having read the judgment—volume 1, again—Katyn is not mentioned.

Mr. MACHROWICZ. The Russians had a representative in that four-power court, did they not?

Dr. KEMPNER. Yes, they had, Your Honor.

Mr. MACHROWICZ. Do you remember who he was?

Dr. KEMPNER. I think it was General Nikitchenko.

Mr. MACHROWICZ. Did the Russian member of that tribunal make any objection or protest against the four-power tribunal having failed to determine guilt in the Katyn case?

Dr. KEMPNER. Not so far as the official record is concerned.

Mr. MACHROWICZ. And do you know anything to the contrary?

Dr. KEMPNER. I never have heard anything about it.

Mr. MACHROWICZ. Now, did I understand also that the Russian prosecutor, who had the sole responsibility of the presentation of the case, had the right, after the judgment was entered, to make a request that the judgment be amended to include a finding in the Katyn case?

Dr. KEMPNER. I think every power, every prosecutor, had the right to ask for some motion of error or some motion to amend the judgment.

Mr. MACHROWICZ. Do you not know, as a matter of fact, that there were instances during the Nuremberg trial when the prosecutor did make such a request whenever he felt that the court failed to make a ruling on a material matter?

Dr. KEMPNER. I do not know exactly whether we did, but I know exactly that in two Nuremberg trials later the defense did it, with success, in two cases.

Mr. MACHROWICZ. So that the Russian representative, then, did have that power, in your opinion?

Dr. KEMPNER. Despite the fact that these judgments were, so to speak, final, you always could make motions to the same court.

Mr. MACHROWICZ. And isn't it true also that there were instances in the Nuremberg trial when one representative of the tribunal, who felt not in accord with the majority opinion, did express his own minority opinion? Is that correct?

Dr. KEMPNER. That happened, and, in fact, in the first Nuremberg trial the Russians filed a dissenting opinion because they were not



satisfied with the acquittal of Schacht and von Papen and, I think, Fritzsche. And they were also not satisfied, I think, with the life sentence for Hess. I think they wanted something else.

Mr. MACHROWICZ. And in this case the failure of the Russian member of the tribunal to file a dissenting or minority opinion must be construed as constituting his agreement to the failure of the tribunal to determine guilt in the Katyn case? Am I correct?

Dr. KEMPNER. I don't care to interpret the Russian sphinx and Mr. Nikitchenko, what he thought at that time, why he did or why he did not, but he just did not, and they filed a dissenting opinion of 11 or 12, or of more than 12, printed pages on other issues.

Mr. MACHROWICZ. But you do state that, despite the fact that the Russian member of the tribunal could have filed a minority opinion in this instance, he filed no dissenting opinion?

Dr. KEMPNER. Yes, Your Honor, I do.

Mr. FLOOD. Now, counselor, I want to ask you a question. It will call for a combination, perhaps, of fact and of opinion for you to answer. You don't have to answer anything if you don't want to.

When I arrived in Bremerhaven I went to Bremen and I met with the German press. Later on I met with the German press at Bonn, and the international press at Bonn, and I told the press as that time that one of the things that the American Congress was interested in, and one of the things that this Commission was going to try and inquire into, was whether or not there was any collusion between any members of the American staff and the Russians for the purpose of ignoring or dropping or failing to prosecute the Katyn indictment.

Now, as far as your official connection or capacity permitted, from your observations and experience, are you aware of any such conspiracy or attempt to collude between anybody on the American side and anybody on the Russian side, or anybody else, to ignore, to brush off, or to quash or to dispose of the Katyn indictment?

Dr. KEMPNER. Not the slightest, and, in fact, we admired Mr. Stahmer at that time because this was one of the few scores he really made for Goering, that the Russians more or less dropped the Katyn matter.

Mr. FLOOD. Was the atmosphere or the attitude among the attachés of the court such that it could be construed as a victory for Stahmer insofar as that court was concerned?

Dr. KEMPNER. So far as I am concerned, absolutely, and I think there were several people of the American prosecution who expressed this to Mr. Stahmer, and to other people. And, if I remember very well, I myself said to old Goering—something which I cannot translate very well into English.

Mr. MACHROWICZ. May I state for the record that because of an appointment that the Chairman and I have, to leave for Berlin, we will have to leave the hearing at this time, and I hope the witness does not construe our departure as taking away from his testimony at all, which I considered very informative and very important to hear.

Mr. FLOOD. Now, as one trial lawyer to another, I want you to express an opinion. You don't have to if you don't want to.

Wouldn't you say that the failure of the Russian prosecution to argue the Katyn matter in the closing argument, and the failure of

the Russians to pursue the Katyn matter further, in view of their peculiar position as a member of the tribunal, is about as clear a confession of guilt of the Katyn matter as it would be possible to imagine?

Dr. KEMPNER. At that time, in 1945, Katyn was no issue for my point. I was not acquainted with all these things too well. However, after I have studied it again—and I am writing some history on the Nurnberg trials—I would say at least it looked mighty funny.

Mr. DONDERO. I want to say that it is to be regretted that the court did not dispose of this case at the time they had it before them.

Mr. FLOOD. Your name appeared in the German press here in connection with these hearings. What is the nature of your appearance here, voluntary or otherwise?

Dr. KEMPNER. It is absolutely voluntary.

Chairman MADDEN. Congressman O'Konski.

Mr. O'KONSKI. I have a question.

At no time during the Nurnberg trials when the Katyn matter came up were the Polish people or the Polish Government-in-exile consulted, were they?

Dr. KEMPNER. I don't know; I never met them.

Mr. O'KONSKI. There was a Polish white book that was published, and it was presented to the American delegation at the Nurnberg trials, the French, and the English. Now, under the rules of procedure, there was no way in which the Americans could have presented that document because it was a Russian case, was it not?

Mr. KEMPNER. Yes; that is correct.

Mr. O'KONSKI. You didn't, at any time, see the Polish white book that was gotten out, establishing what they thought as to who was guilty for the masacre at Katyn?

Dr. KEMPNER. No; I have never seen any white book.

Mr. DONDERO. One question more.

Did you have before you, as assistant prosecutor, a book consisting of some 400 pages entitled, "Facts and Documents Concerning Polish Prisoners of War Captured by the USSR in the 1939 Campaign"?

Dr. KEMPNER. I have never seen it.

Mr. FLOOD. Before we recess for 5 minutes, if anybody here is interested, we may decide to call Dr. Stahmer immediately, instead of tomorrow morning, if the Doctor will be available, but that is not certain. We will know in about 5 minutes.

Chairman MADDEN. I wish to make an announcement.

Congressman Machrowicz and myself, on account of a previous commitment, will be away from the committee for an interval, and Congressman Flood will take over as chairman.

We wish to thank you, Dr. Kempner, for coming here and testifying, and we appreciate your testimony very much.

Dr. KEMPNER. Thank you.

(Whereupon a recess was taken.)

#### AFTER RECESS

Mr. FLOOD. The hearing will be in order.

Dr. Stahmer.

**TESTIMONY OF DR. OTTO STAHMER (THROUGH THE INTERPRETER,  
MR. VON HAHN)**

Mr. FLOOD. Do you object to being photographed?

Dr. STAHMER. No.

Mr. FLOOD. Please be seated, Doctor, and give the stenographer your name.

Dr. STAHMER. Dr. Otto Stahmer, attorney at law with the Oberlandesgericht, Kiel.

Mr. FLOOD. Doctor, we will have read to you a statement which will then be translated into German.

Mr. MITCHELL. Before you testify it is our wish to invite your attention to the fact that under German law you will not be liable for slander or libel, either in criminal or in civil proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as a result of your testimony. Do you understand?

Dr. STAHMER. Yes, I do.

Mr. FLOOD. Will you stand and be sworn, please?

Do you swear by God Almighty that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Dr. STAHMER. I swear, so help me God.

Mr. FLOOD. What is your name?

Dr. STAHMER. Otto Stahmer.

Mr. FLOOD. You are a member of the German bar?

Dr. STAHMER. Yes, I am.

Mr. FLOOD. For how long have you been engaged in the practice of law in Germany?

Dr. STAHMER. Since March 1907, with the Oberlandesgericht, Kiel.

Mr. FLOOD. Have you ever been identified with a German bar association or confederation of lawyers?

Dr. STAHMER. No, immediately after having finished my training I became an attorney at law.

Mr. FLOOD. Were you ever an official of the German Bar Association or an association of German lawyers?

Dr. STAHMER. After 1945 I was appointed by the British Occupation Power to the Bar Association in Schleswig-Holstein. In October 1945, I was elected to the chairmanship, and later on became the president of the Bar Association, and left it again in 1947, owing to pressure of work.

Mr. FLOOD. Now, I direct your attention, doctor, to the Nuremberg trials and ask you whether or not you were ever identified with those proceedings?

Dr. STAHMER. I was defense counsel for the former Reichsmarshal Goering at the war crimes trials at Nuremberg.

Mr. FLOOD. Will you tell us in what way you came to be identified with the defense of Goering?

Dr. STAHMER. Yes, I can.

The various bar associations called for attorneys who would be prepared to act as defense counsel in Nuremberg, prior to the opening

of the trial. The Oberlandesgericht president of Kiel, in Schleswig-Holstein, made a list of the men willing to act as defense counsel. Five names were suggested, and I was one of them. This list was forwarded to Nuremberg and, from all the lists collected from the various districts, an ultimate list, or an accumulated list, was established. This list was submitted to the accused, and they were authorized to select defense counsel from this list. Goering selected me from the list, and he told me later that I had been recommended to him by the Reichsgerichtent-fuehrer; that was the leader of the Reich legal men, Frank.

Before that I had no contacts with Goering.

Mr. FLOOD. Now, doctor, we are concerned with that part of the Goering indictment or the Nuremberg proceedings that have to do only with the Katyn massacre. I am sure you are entirely capable of presenting that story to us without my interrupting with questions. I will try not to, unless there is some particular thing that we happen to think of.

Therefore, will you take us from the beginning to the end of that part of the Nuremberg proceedings that had to do with Katyn?

Dr. STAHLER. As Dr. Kempner pointed out, quite correctly, the charge in Nuremberg contained a short sentence, running as follows: "In the Katyn forest 11,000 Polish officers were murdered in September 1941."

Mr. FLOOD. May I interrupt, for the record, and read you the exact language, so you may begin? I quote from the statement of Dr. Stahlmer on page 274 of the International Military Tribunal Trial of the Major War Criminals, volume 17: "In September 1941, 11,000 Polish officers, prisoners of war, were killed in the Katyn woods near Smolensk."

Dr. STAHLER. Yes, that is correct. As it was, here, a question of prisoners of war, it could safely be assumed that the crime could only have been perpetrated by German troops. I discussed this matter with Goering and asked him whether the German Army could possibly have had anything to do with this matter. Goering declared to me, being his defense counsel, that he could state with a clean conscience that the German Army was not responsible for this crime. I thereupon told him that in that case it was our duty to deal with this matter in detail for the sake of the honor of the German Wehrmacht.

I suggested that I would take up this matter in connection with his, Goering's, own case, being defense counsel for Goering, and in view of the fact that Goering was the highest ranking officer in the German Army there. Goering agreed, and thus I engaged in this matter.

Mr. FLOOD. Now, may I interrupt for the procedural problem again?

As I understand it, the Katyn charge brought by the Russians was not brought against any specific defendant.

Dr. STAHLER. No. That is correct. The accusation did not contain any more than the sentence which was read out a few minutes ago, and I could only get a little further in this matter when, as Dr. Kempner correctly pointed out previously, the Russians submitted the document U. S. S. R. 54 on April 14, 1946.

I established the following facts from this document:

A construction battalion of engineers with the number 537 was mentioned in this accusation. The document also mentioned that this battalion was under the command of a certain Colonel Arnes. The document also mentioned the names of three officers: First Lieutenant Rex, First Lieutenant Holdt, and Lt. Graf Berg.

I got hold of these three names and established and proved that they could not possibly have perpetrated the crime. The news of this evidence was published over the radio. It was also heard by Lieutenant Arnes, who actually was Colonel Ahrens.

A few days after that Colonel Ahrens came to see me and offered to testify as a witness, and with his assistance I succeeded in bringing some more light into the matter. In the meantime, a 1st lieutenant von Eichborn had also reported to me, and these two gentlemen also brought me into contact with General Oberhaeuser.

The situation now developed as follows:

Colonel Ahrens stated that he had arrived in the area of Katyn in November 1941 and had taken command of Signal Regiment 537. The former designation of Engineer's Construction Battalion was incorrect; it was actually Signal Regiment No. 537. I learned from him, too, that immediately upon the occupation of Smolensk, in July of 1941, a small advance unit had been in that area near Katyn, and at the beginning of August of the same year the regimental staff headquarters had been established in the Dnieper Castle. The commander of the regiment and in that regimental staff at that time was Colonel Bedenk, who, as I said before, was succeeded by Colonel Ahrens in November 1941.

That, in brief, was the material which I had at my disposal for proving my case. My aim was to prove to the Nuremberg Tribunal that the German Wehrmacht was not responsible for this crime. The Russians were not accused, and therefore I had neither the task nor the duty to clear up the matter.

At first the court allowed me to call the five witnesses which I had named before. It was then suggested that in view of the fact that the case was a comparatively simple one, the number of witnesses should be reduced to three. The selection of the witnesses was left to the defense counsel or to the prosecution.

In this connection I should like to mention the following incident. One day the secretary general of the court telephoned me and asked whether I was prepared to discuss the Katyn matter with the Russian prosecution. I said that I was prepared to do so, but requested in view of the fact that although it did not concern all the defense counsel it still did concern a large number of them, I requested Professor Exner, who was a defense counsel for General Jodl, to accompany me. The two of us met Colonel Prochownik. Colonel Prochownik pointed out that a few days before the chairman, Lord Lawrence, had requested that the proceedings be made shorter if possible. He was of the opinion that we could shorten the proceedings by not hearing the witness, or by submitting affidavits instead of having the witnesses testify, with the request that the court should take official knowledge of these affidavits.

I refused this suggestion, and Professor Exner did likewise, for the result of such an action would have been that the documents would have been submitted without the public getting to know anything about their contents.

I gave my response for refusing by pointing out that the Russian prosecution had accused the German Wehrmacht publicly of having murdered eleven thousand prisoners of war, and for the sake of the honor of the German Wehrmacht I thought it imperative that the public should be informed in the same way, that this accusation was without foundation.

This suggestion of mine was rejected. Colonel Prochownik said that such a procedure would again take a much longer time. I had declared that, provided the other German defense counsel would agree, I would agree to have affidavits submitted, but only on condition that they should be read out during the proceedings. I forgot to mention that previously. That was for the reason that it would take more time again, and that the Lord Justice's wishes would not be fulfilled that way, of shortening the proceedings.

A further suggestion of mine, to limit the proceedings to a certain time, was also rejected. This was the contents of our discussion, which was also mentioned by Dr. Kempner, although I do not believe that Dr. Kempner had knowledge of what was said during those discussions.

The chairman then declared that, in view of the fact that no agreement had been reached, the suggestion that both sides should only call three witnesses each should be adhered to.

My witnesses were Colonel Ahrens, General Oberhaeuser, and First Lieutenant von Eichborn.

The Russians proposed the former Buergermeister of Smolensk, who was Buergermeister while Smolensk was occupied by the Germans. I forget the name at present, but it is in the documents, in the protocol. Then, a Bulgarian professor, Dr. Markov. Professor Markov had been a member of the commission which had gone to Smolensk and Katyn, on the instigation of the Germans, and had given expert evidence on the probable time, gathered from the state of the decayed bodies, or the condition of the dead bodies, when the crime had been promulgated.

The evidence and the results of this investigation were laid down in the German official white book. Professor Markov had, by then, been captured by the Russians, and that was how he got to Nuremberg as a witness. I cannot say exactly whether he was still a prisoner at that time.

The third witness produced by the Russians was a professor of anatomy who had been working there in Smolensk after the Germans had evacuated. The Russians, after Smolensk and Katyn had been evacuated by the Germans, had hauled a commission of physicians, which had to work on the same lines as the previous commissions under the Germans had been working. This Russian commission arrived at a different result, to the effect that the murder had been committed in September 1941, that is, at the time when the area was already under German occupation.

As I established by cross-examining during the proceedings, this Russian commission consisted exclusively of Russian physicians, no neutrals or members of the Allied nations taking part in it. The result was as laid down by me in my arguments. From the testimony of the witnesses Ahrens, Oberhaeuser, and von Eichborn, I had my opinion proved clearly that the crime could not possibly have been perpetrated by the German Wehrmacht.



It was already stated that the Russians, in their final argument, which took place after the arguments of the Germans had been given, did not refer to the Katyn case with a single word.

That was generally how this case was handled in Nuremberg.

Mr. FLOOD. Did the tribunal, in its findings, refer to the Katyn matter?

Dr. STAHLER. No.

Mr. FLOOD. Do you know of any reason, as a matter of fact, that they did not?

Dr. STAHLER. No; of course, I do not know them.

We must, however, not forget that a large number of crimes were put to the debit of the Germans which were also not dealt with in the finals, even if they were not dealt with in such detail.

Mr. FLOOD. Were you satisfied, as far as you were concerned, that the tribunal did not mention the Katyn matter one way or the other?

Dr. STAHLER. Yes; it is so.

Mr. FLOOD. As counsel for the defense and defending an indictment, you were satisfied that the whole matter was dropped, as far as that detail was concerned; is that right?

Dr. STAHLER. It had been dropped because the Russians had simply not referred to it any more. But it was not so, either, as it should have been in accordance with German law, that the accusation had also been dropped.

Mr. FLOOD. This conference that you spoke about, at which the submission of affidavits was discussed with the Russians, that conference, as I understand it, was called at the request of the Russians.

Dr. STAHLER. Yes. General Mitchell had actually asked me whether I would be prepared to confer with the Russians so as to shorten the proceedings. I was of the opinion that the Russian prosecution had approached General Mitchell with a request to arrange such a conference.

Mr. FLOOD. The Americans did not take part in that conference, did they?

Dr. STAHLER. No. The only ones were the Russian, myself, and Professor Exner.

Mr. FLOOD. And during your entire handling of the Katyn matter with the Russians, the matter was handled only between you and the Russians and the court; is that correct?

Dr. STAHLER. Yes, that is so.

Mr. FLOOD. Your three witnesses for the German side were presented in open court and the testimony was fully developed?

Dr. STAHLER. Yes; that is correct.

Mr. FLOOD. Were you satisfied with the presentation of your case and did you consider that you had an ample opportunity to present the German side?

Dr. STAHLER. Yes. It was like that, that there was one gap for me. That was a gap of time between July and November 1941, before Colonel Ahrens took over the command of the regiment. But the reason for that was that I did not know the address of First Lieutenant Hodt and, as far as I recollect, was also unable to contact Colonel Bedenk.

Mr. FLOOD. And the Russians had an opportunity to present the same number of witnesses, that is, three, that the German side did?

Dr. STAHLER. Yes. The court had distributed the witnesses on an equal basis.

Mr. FLOOD. And the Russians did present their three witnesses?

Dr. STAHLER. Yes, they did so.

Mr. FLOOD. And the Russians had an opportunity to cross-examine the German witnesses?

Dr. STAHLER. They did have the opportunity, and they availed themselves of the opportunity.

Mr. FLOOD. And the Germans had the opportunity and availed themselves of the opportunity of cross-examining the Russian witnesses?

Dr. STAHLER. Yes. I did cross-examine the Russian witnesses. There was a certain restriction imposed on that, because some German defending counsels wanted to cross-examine the witnesses and were only allowed to do so in case their witnesses had actually been connected with a specific case.

Mr. FLOOD. And the eminent counsel for Goering made an eloquent and persuasive argument to the tribunal?

Dr. STAHLER. Yes, I did so.

Mr. FLOOD. With reference to the Katyn matter.

Dr. STAHLER. Yes.

Mr. FLOOD. And the Russians, in closing to the tribunal, never mentioned the Katyn matter?

Dr. STAHLER. That is correct; because they gave their final argument after me.

Mr. FLOOD. And the result was that you had, insofar as the Katyn indictment was concerned, a victory as against the Russian charge?

Dr. STAHLER. In my opinion, I had fulfilled my task of proving that the Germans were not the perpetrators of the crime.

Mr. FLOOD. You were not concerned with trying to find out who was?

Dr. STAHLER. I believe that the court would have objected to that, in view of the fact that the Russians were not the accused. We had this experience on several occasions, when we ventured to point out that the other side had also occasionally sinned, that it was immediately pointed out to us that the other side was not sitting on the bench of the accused.

Mr. FLOOD. And, of course, the doctor knows, as a distinguished trial lawyer, that when you are trying an indictment, in which A is indicted, you cannot convict B who was not indicted?

Dr. STAHLER. The Russians had not charged anyone else.

Mr. FLOOD. Doctor, when I arrived in Germany for this committee, I spoke to the German press at Bremen. I subsequently spoke to the German and international press at Bonn. Among other things, I stated that this committee felt that it had been charged by the American House of Representatives to find out whether or not any of the Americans participating in the Nuremberg trials, or anybody else, for that matter, were engaged in any conspiracy with the Russians or anybody else to drop or not to prosecute this Katyn indictment.

Dr. STAHLER. I think that impossible.

Mr. FLOOD. Will you state, then, whether or not, in your opinion, any of the Americans, as far as you know, were so engaged?

Dr. STAHLER. No. I could not even imagine how that could have been done, in view of the fact that I was not at all restricted or ham-

pered in my defense. The only thing I was actually interested in was to prove that the German Army and the German officers who had been accused were not guilty.

That I was successful in that respect is proved to me by the fact that the Russians never again leveled this accusation and left the officers which they had mentioned in their allegation out of it altogether later on. Otherwise, the Russians were very prolific in accusing everybody and anybody. In my opinion, the Russians would never have dropped the case and would have pursued it with all energy if there had only been a shadow of tagging the thing onto the Germans.

Mr. FLOOD. As a matter of fact, in the early part of your statement, you told us that the Katyn case had been brought as a charge by the Russians.

Dr. STAHLER. That is not quite correct. At first, in this document, the accusation was a general one. A more detailed description and explanation was added to it later on.

Mr. FLOOD. That's exactly what I want to say and the additional documentation and additional detail consisted entirely of a document which was the official report of the Extraordinary State Commission which was officially authorized by the Russians to investigate the Katyn case; isn't that it?

Dr. STAHLER. Yes; that is correct. The Russians said, as already pointed out by Dr. Kempner, that they had another 120 witnesses, but they did not produce an eyewitness.

Mr. FLOOD. As a matter of fact, as a practical trial lawyer, what really happened was that the Russians were pretty good trial lawyers themselves in that case, they had pretty good lawyers there, didn't they?

Dr. STAHLER. I should rather say that they were slightly unlucky in their choice of witnesses.

Mr. FLOOD. As a matter of fact, as good lawyers, the Russian prosecution knew they had no case on the Katyn indictment, and that's why they dropped the whole matter; isn't it?

Dr. STAHLER. I do not know that.

Mr. FLOOD. Any other questions?

Mr. DONDERO. Congressman Flood has stated on the record what he understands to be the purpose of this committee. The resolution passed by the House of Representatives of the United States Congress is the best evidence of our authority here in Europe, and that resolution authorizes this committee to collect the evidence, make an investigation of the Katyn massacre, and report back to the Congress of the United States. Justice delayed is justice denied, and had the court at Nuremberg disposed of this case, we would not be here today.

Mr. FLOOD. Mr. O'Konski.

Mr. O'KONSKI. Doctor, do I understand that the indictment on Katyn was part of a general indictment?

Dr. STAHLER. Yes; that is correct.

Mr. O'KONSKI. Could the Russian prosecution, under the procedure under which you were operating, have asked that that part of the indictment regarding Katyn be dismissed?

Dr. STAHLER. No; I do not think so.

Mr. O'KONSKI. Could the defense have asked that that part of the indictment pertaining to Katyn be dropped from the general charge?

Dr. STAHLER. No; not that either.

Mr. O'KONSKI. After these three witnesses were called on each side and you gave your closing argument, did the Russians ask that the charge be dismissed?

Dr. STAHLER. No; they did not.

Mr. O'KONSKI. Now, when the decision was handed down by the Tribunal, that is, the court at Nuremberg, was the decision based on the entire indictment or did they leave some parts of the indictment out in their findings?

Dr. STAHLER. The entire indictment.

Mr. O'KONSKI. Is it reasonably safe to assume then that the Russians assumed that the world would assume that, since it was a part of the indictment, and since it was not stricken from the indictment, and the decision was handed down on the whole indictment, was it possible for the Russians to assume that the world would think that that was one of the crimes of which the Germans were guilty?

Dr. STAHLER. I do not know what to reply to that question.

Mr. O'KONSKI. It would seem to me, as an observer, not being schooled in law, that if the general indictment contained a clause indicating the crimes at Katyn, and if that part of the indictment was never dropped, and a decision was handed down on the entire indictment, that I, as a layman, would draw the conclusion that the Germans were guilty and that was one of the crimes for which they were convicted.

Mr. DONDERO. Well, Dr. Stahlmer, no decision was ever reached by the court.

Dr. STAHLER. No, it was never reached.

Mr. O'KONSKI. That's all.

Mr. FLOOD. Is there anything further you would care to say, Doctor?

Dr. STAHLER. No.

Mr. FLOOD. I can say that the committee appreciates very much the time and the patience you have taken in coming to us and helping us with your testimony. Thank you very much.

You might like to know that for tomorrow morning the witnesses, I am advised, will be a Herr Genshow, president of the Genshow Ammunition Co., which was the company that manufactured the ammunition found in the graves at Katyn.

The second witness is a Mr. Christer Jaederlunt, a distinguished Swedish newspaperman who was a member of the international commission of journalists that visited Katyn.

The third witness is a Mr. Rudi Kramer, who is listed as a staff director of Frankfurt, Germany, and who was identified with one of the propaganda units at Smolensk.

We will recess and adjourn until 10 o'clock tomorrow morning.

(Whereupon, at 6:10 p. m., a recess was taken until 10 a. m. Friday, April 25, 1952.)

## THE KATYN FOREST MASSACRE

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FRIDAY, APRIL 25, 1952

HOUSE OF REPRESENTATIVES,  
THE SELECT COMMITTEE ON THE KATYN FOREST MASSACRE,  
*Frankfurt on Main, Germany.*

The committee met at 10 a. m., pursuant to recess, in the main courtroom, Resident Officer's Building, 45 Brockenheimer Anlage, Hon. Daniel J. Flood, presiding.

Present: Messrs. Flood, Dondero, and O'Konski.

Also present: John J. Mitchell, chief counsel to the select committee.

Present also: Eckhardt von Hahn, interpreter.

(The proceedings and testimony were translated into the German language.)

Mr. FLOOD. The committee will be in order.

The first witness?

Mr. MITCHELL. Mr. Jaederlunt, please.

### TESTIMONY OF CHRISTER JAEDERLUNT (THROUGH GERMAN INTERPRETER ECKHART VON HAHN)

Mr. FLOOD. Do you have any objection to be photographed?

Mr. JAEDERLUNT. No.

Mr. FLOOD. You understand English, of course?

Mr. JAEDERLUNT. I would prefer to speak German.

Mr. FLOOD. Give your name and the correct spelling of it, your occupation, and address to the stenographer.

Mr. JAEDERLUNT. Christer Jaederlunt, Hamburg Ochsenwerder 2, Norderdeich 178.

Mr. FLOOD. Mr. Jaederlunt, we will read you an admonition about testifying first.

Mr. MITCHELL. Before you testify, it is our wish to invite your attention to the fact that, under German law, you will not be liable for slander or libel, either in civil or criminal proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as a result of your testimony.

Mr. FLOOD. Do you understand the admonition?

Mr. JAEDERLUNT. Yes.

Mr. FLOOD. Will you stand and be sworn, please?

Do you swear that the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. JAEDERLUNT. I swear, so help me God.

Mr. FLOOD. What is your full name?

Mrs. JAEDERLUNT. Christer Waldemar Oskar Jaederlunt.

Mr. FLOOD. What is your occupation at the present time?

Mr. JAEDERLUNT. Journalist and representative of the Swedish newspaper, the Stockholm Tidningen.

Mr. FLOOD. Where were you born?

Mr. JAEDERLUNT. Viby, Sweden.

Mr. FLOOD. Are you still a native of Sweden, a Swedish citizen?

Mr. JAEDERLUNT. Yes; I am.

Mr. FLOOD. When did you first come to Germany, representing your paper?

Mr. JAEDERLUNT. 1928.

Mr. FLOOD. What is the name of the paper?

Mr. JAEDERLUNT. The Stockholm Tidningen.

Mr. FLOOD. Did you represent that paper in April 1943?

Mr. JAEDERLUNT. Yes; I did.

Mr. FLOOD. The stenographer will mark for identification these documents as exhibits 82 and 83.

(The documents referred to were marked for identification as Frankfurt exhibits 82 and 83, and follows:)



## EXHIBIT 82

STOCKHOLMS TIDNINGEN Söndagen den 18 april 1943

## ANDRA FRÅGETÄVLINGSRONDEN

## Tysk diplomati blir mer offensivbetonad

Från St-T:s Berlinredaktör CHRISTER JADERLUND

BERLIN den 17 april.  
När det första sydliga samfundet av ambassaderna stora staternas församling i det Tyska rikets huvudstad i Berlin de omfattande förändringar inom tysklands diplomatiska utrikesrepresentation, som i dag återspeglats från högvariet.

Närvald i och för det stora uppmärksamheten att den tyska diplomatin har blivit främre i den statsvetenskapen i Västtyskland och senaste uttalandet i Washington är dock till placeringen som Hitlers uttalande i de just som statspolitiska skiftet i Madrid. Västtyskland och Madrid har alltså lagget i det allmänna uttalandet som de tyska "Friedenspolitikerna", det både de stora krigsformerna och de små neutrala samt sina bästa diplomater.

Allt som Hitlers uttalande har av sina stora diplomater till bevisat på att man i Berlin skulle mer än hundra intressera sig för att främre på den rådande världsliga. Men det kan ändå uppmärksamheten som ett tecken på att Hitler har inget av det ännu ignorera den världsliga diplomatiska utvecklingen bakom kända i Berlin.

V. Weizsäcker och Dieckhoff, vilka numera kommer att bevisa tyska intressen i Västtyskland och i Madrid, är båda stora diplomater av gamla skolan med mångårig diplomatisk verksamhet bakom sig, och kända för mångfalden som författare även bland sina kolleger på främmande.

Weizsäcker författning till Västtyskland kan säkert jämföras med v. Papens uttalande till Berlin. Men Weizsäcker i Västtyskland och Dieckhoff i Madrid — inte till förmågan att den hitleristiska statsvetenskapen Weizsäcker och Dieckhoff i Madrid — kommer den tyska utrikespolitiken att kraftigt

aktiveras och det kommer härnäst att bli dubbelt intressant att följa det diplomatiska spelet i dessa förändringar.

Dr. Weizsäcker, som utmärkte till ambassad i Nanking, har hittills varit ledare av den tyska utrikespolitiska politiska utvecklingen. Det är till exempel ambassadör i Madrid. Anton Dieckhoff har utmärkt till utrikesministeriets ledare av utrikesministeriets politiska utvecklingen efter Weizsäcker medan Dr. v. Rintelen utmärkt till ledare av utrikesministeriets politiska utvecklingen efter Weizsäcker medan Dr. v. Rintelen utmärkt till ledare av utrikesministeriets politiska utvecklingen efter Weizsäcker.

Det faktum, att en 88-årig man som Dr. Weizsäcker har utmärkt till ledare av den tyska utrikespolitiken, är ett tecken på att Hitler har inget av det ännu ignorera den världsliga diplomatiska utvecklingen bakom kända i Berlin. Men det kan ändå uppmärksamheten som ett tecken på att Hitler har inget av det ännu ignorera den världsliga diplomatiska utvecklingen bakom kända i Berlin. Men det kan ändå uppmärksamheten som ett tecken på att Hitler har inget av det ännu ignorera den världsliga diplomatiska utvecklingen bakom kända i Berlin.

I förlagt har undersökningssekreteraren Friedrich Gause, känd som v. Rintelen, trots spelet på politiska rådare till alla statspolitiska förändringar, utmärkt till ambassadör för speciellt bruk. Slutligen har v. Rintelen utmärkt till ambassadör och v. Rintelen utmärkt till ambassadör av första klass.

## Berlin välkomnar Polens appell till Int. Röda Korset

Från St-T:s Berlinredaktör CHRISTER JADERLUND

BERLIN den 17 april.  
Den härskande, som polska riksdagen uttalar till internationella Röda Korset i Genève riksdagen har mycket mera i Berlin förklarat det i politiska kretsar här, som även tyska kända kända på riksdagen Hitlers uttalande vänt sig till organisationen i Genève med en helhet som att de tyska undersökningarna om massgravarna i Krasny Gor vid Smolensk skall pågå.

Emellertid efter det att det tyska riksdagen har uttalar till internationella Röda Korset i Genève riksdagen har mycket mera i Berlin förklarat det i politiska kretsar här, som även tyska kända kända på riksdagen Hitlers uttalande vänt sig till organisationen i Genève med en helhet som att de tyska undersökningarna om massgravarna i Krasny Gor vid Smolensk skall pågå.

Det är klart helt naturligt, att varje beklagare, som i Berlin med MacArthur har uttalar till internationella Röda Korset i Genève riksdagen har mycket mera i Berlin förklarat det i politiska kretsar här, som även tyska kända kända på riksdagen Hitlers uttalande vänt sig till organisationen i Genève med en helhet som att de tyska undersökningarna om massgravarna i Krasny Gor vid Smolensk skall pågå.



Dr. Dieckhoff, Tysklands nye ambassadör i Madrid.



Dr. Dieckhoff, Tysklands nye ambassadör i Madrid.

## AUSTRALIEN skall få tillräckligt med flygplan

Från St-T:s Washingtonredaktör ANDRE VISSON.

WASHINGTON den 17 april.

General MacArthur kräver flygförstärkning för Australien på grund av de stora japanska flottkoncentrationerna vid Trukbarna, och samtidigt kräver han flygförstärkning för Australien på grund av de stora japanska flottkoncentrationerna vid Trukbarna, och samtidigt kräver han flygförstärkning för Australien på grund av de stora japanska flottkoncentrationerna vid Trukbarna.

Man får nu veta i Washington, att MacArthur kräver flygförstärkning för Australien på grund av de stora japanska flottkoncentrationerna vid Trukbarna, och samtidigt kräver han flygförstärkning för Australien på grund av de stora japanska flottkoncentrationerna vid Trukbarna, och samtidigt kräver han flygförstärkning för Australien på grund av de stora japanska flottkoncentrationerna vid Trukbarna.

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Man får nu veta i Washington, att MacArthur kräver flygförstärkning för Australien på grund av de stora japanska flottkoncentrationerna vid Trukbarna, och samtidigt kräver han flygförstärkning för Australien på grund av de stora japanska flottkoncentrationerna vid Trukbarna, och samtidigt kräver han flygförstärkning för Australien på grund av de stora japanska flottkoncentrationerna vid Trukbarna.

Article by Mr. Jaederlunt in the Stockholm Tidningen, April 18, 1943.

## EXHIBIT 83

Stationssekreteraren Weermann skickade till Moskva — kommer den tyska utrikespolitiken att kraftigt

bruk. Skulle man ha v. Ristelen utskickat till ambassadör och v. Scharf till sändebud av första klass

## Berlin välkomnar Polens appell till Int. Röda Korset

Från St-T:s Berlingsredaktör CHRISTER JADERLUND.

BERLIN den 17 april.

Den hälsande, som polska engestransregeringen riktar till Internationala Röda Korset i Genève välkomnas på ett mycket varmt sätt i Berlins förklarar det i politiska kretsar här, som även Tyska Röda Korset på rikskansliet Hitlers anmodan väntar sig till organisationen i Genève med en blick på att de tyska undersökningarna om massgravarna i Kraczy Gor vid Smolensk skall pågå.

Gmedelbart efter det jag återvrat från Krasny Gor jag till Smolensk i Ryssland, där de tyska militärmyndigheterna just gjort ut en massgrav innehållande 100 till 150 polska uniformer och försedd med polska identitetsskyltar.

Hopelshade som för, rätt till var som jag i 12 skott liden efter tusentals polska officerare i full uniform i 31 gamla massgravar med en omfattning 20-30 meter ute i skogen 12 km från Smolensk. Enligt de beräkningar, som tyska försvarsmakten gjort efter de senaste dagarnas grävningar, kan man uppskatta antalet till nästan 10 000. 10 000.

Tyskarna har befunnit sig i Smolensk en tydlig tid sedan man inte längre ser kom man på den fruktansvärda hemligheten i Röda skogen vid Kraczy Gor. I början drog tyska trupper in om här åtföljda av frivilliga polska arbetare. Två av dessa polska arbetare brukade följa sig för bland den tyska befolkningen i de trakter, som de passerade, som där fanns några polska. Av bönderna kring Smolensk hörde de.

— Ja, landarna till en ligger begravda i Kraczy Gor.

Jag har talat med flera praver från den närmaste trakten, intill skogen vid Kraczy Gor. Somliga har hört skrik och skottlossning i skogen, men ingen har vågat bege sig alltför nära ingången, som bevakades av GPU-soldater med blodhundar. Däremot visste alla att under mars och april månader 1940 fångit transporterna på en natt till godstationen Gubstovsk vid Smolensk, att fångarna efter uppgörelse av polska officerare att svenska soldater och även svenska kvinnor var med.

De tyska myndigheterna har nu sedan ett par veckor tillbaka börjat uppgöringarna i Kraczy Gor under ledning av professor Blum, en känd vetenskapsman på området och direktör för Breslauuniversitetets rättshandlingar och kriminalistiska institut. Samtidigt som de börjat uppgöringarna har de också vidtagit omfattande förhör. Av de tyska ämbetsvärdstämman, som finns kvar, har de fått veta en hel del, och om resten har alla de papper, man hittar i massgravarna, blivit tillräckligt ingående uppgifter. Fångtransporterna pågick från början av mars till den 20 april 1940. Alla de polska uniformerna i massgravarna är välbehållna. Alla papper finns kvar och är fullt läsbara liksom alla brev.

Tills vi kom fram till Smolensk hade man lyckats känna identifiera 75 till av alla officererna från divisionen till överste, dessutom 2 kvinnor. Medan vi kom befinna oss i skogen vid Kraczy Gor kommer man med liket efter en polsk brigadgeneral på en bär. Han har också alla papper på sig. Det är brigadgeneral Smorawsky från Litauen i distriktet Lublin uniformen. Hälvet och axelremmen är väl behållna liksom alla gradbeteckningar. Endast de breda polska generalens bälten har svärnat. Han har ännu på sig en bär. Även ett cigarettförråd

och silver med inskriftningar av hans officerstjänst.

Över huvud taget ha GPU-männorna inte berövat sina fångar något av deras personliga tillhörigheter. De ha fortfarande allting i behåll, även sina pengar. Många tusentals rödty fann man inhopade i stövelskälen.

Många av fångarna tycks ha varit sig mest avaktningen in i det stora, jag med händerna bakbundna och med skapen anslutad i munden. Alla jag med knivskär mot jorden, och samtliga hade fått ett stort genom bakhuvudet.

Den tyska undersökningkommissionen i Smolensk arbetar jämnt med en polsk undersökningsskiss och alla liken identifieras av stolta tyskar som polska. Det polska internationala Röda korset är i besittning av en lista över alla de försvunna polackerna — man tar till en siffra på 60 000 — och det har blivit intressant att se vad en jämförelse här kommer att ge för resultat.

Tyska pressen har sedan flera dagar ägnat en stor del av sitt utrymme åt lyndet vid Smolensk. De tyska tidningarna offentliggör dag för dag de nya resultat, man kommit till vid identifieringen av liken. Förutom brigadgeneralen Smorawsky, skickade kommandanten i Lublin har man en också funnit liken efter andra höga polska officerare, bl a brigadgeneral Bronislaw Dobrzynski och översten Hlasczynski. Anden för den polska generalstabens andra avdelning. De tyska militärmyndigheterna har samtidigt lagt ytterligare vikt på bland den tyska befolkningen i förhör och även fått fått i f. d. anställda hos G. P. U. generalen i Smolensk. Enligt dessa förhör, så uppges i Berlin, var det fyra G. P. U.-män som kommanderat avrättningssmannskapet.

### Japans sändebud i Sovjet hos Tojo

TOKIO den 17 april.

ATT är DNE: Japans sändebud i Moskva, Morishima, som i n. väntas i hemlandet, hade så utslagen en längre överläggning med premiärminister Tojo. Inlet är ännu känt om värdskapet för hans besök i Tokyo.

### Norska lekmän får döpa och jordfästa

OSLO den 17 april.

TT: Personer utan teologisk utbildning kunna belyskaffa provisoriskt skickas ut av kyrkoherdesamtet för att hålla gudstjänst i kyrkorna med barnbop och nattvardsgäst och förätta begravningar i församlingar, som är utan vanlig andlig betjäning. Nittills har departementet enligt har av den 1 april 1941 kommit påstuviga personer utan teologisk utbildning. Ledsmannen ska utse ett värde under tillfälliga av en präst och ritualet för de kyrkliga handlingarna skall förtärlas av myndigheterna.

Mr. FLOOD. I now show you documents marked for identification as exhibits 82 and 83 which are photostat reproductions of articles from the paper you say you represented in 1943. Are they? Is that correct?

Mr. JAEDERLUNT. That is correct.

Mr. FLOOD. You wrote the stories that are reproduced in those papers?

Mr. JAEDERLUNT. Yes; I did.

Mr. FLOOD. What is the date of the paper and the title of the story dealing with Katyn?

Mr. JAEDERLUNT. The date of the newspaper is Sunday, April 18, 1943, and the article was written on the previous day. "Berlin welcomes the corps of the Polish Red Cross about the Katyn case."

Mr. FLOOD. Were you in Berlin on that day?

Mr. JAEDERLUNT. Yes; I was.

Mr. FLOOD. That information came to you as a result of your investigations as a Swedish newspaperman in Berlin on that day?

Mr. JAEDERLUNT. Does the question apply to the heading of the article or to the contents?

Mr. FLOOD. The whole story.

Mr. JAEDERLUNT. The heading is from official information on which I received. The contents of the article are based on my personal experiences and investigations in Katyn.

Mr. FLOOD. What was the attitude of the then German Government toward the request of the London Polish Government to the International Red Cross to intervene in the Katyn matter?

Mr. JAEDERLUNT. The then German Government welcomed this request.

Mr. FLOOD. Do you know whether or not the then German Government made a request of a similar nature to the International Red Cross?

Mr. JAEDERLUNT. Yes; the then German Government also submitted a request to the International Red Cross.

Mr. FLOOD. Do you know whether or not the International Red Cross replied to the requests of the London Polish Government and the then German Government?

Mr. JAEDERLUNT. From articles in the German press and from German authorities I heard that the International Red Cross was unable to take part in the investigations because the Russians were not able to take part in them.

Mr. FLOOD. Did you go to Smolensk?

Mr. JAEDERLUNT. Yes; I did.

Mr. FLOOD. Now, suppose, in your own words, you just take us on your journey from the moment you left Berlin to Smolensk, describe to us what you saw at the graves at Katyn, and, in general, give us the details of the story that appeared under the byline in the Swedish paper from Berlin on April 17, 1943.

Mr. JAEDERLUNT. May I use some notes to refresh my memory?

Mr. FLOOD. Are those your own notes?

Mr. JAEDERLUNT. Yes; they are written by myself on my own typewriter.

Mr. FLOOD. There is no objection to the witness referring to notes made by himself for the purpose of refreshing his memory.

Mr. JAEDERLUNT. I belonged to the first group of journalists which went to Katyn after the discovery of the mass graves. This happened approximately in the second week of April 1943. I do not recollect the exact date, but it could be ascertained, if necessary. In the preceding weeks I had been to the so-called Atlantic defense wall on the French coast. On the day when I returned to Berlin from France, I received a telephone call and was asked whether I was prepared to go to Russia the next morning.

Mr. FLOOD. Telephone call from whom?

Mr. JAEDERLUNT. From the Ministry of Propaganda in Berlin.

Mr. FLOOD. The German Ministry?

Mr. JAEDERLUNT. Yes, the German Ministry of Propaganda.

The reason for the journey to Russia was not disclosed, and the head of this expedition was, as far as I recollect, a German officer from the German supreme command. Not before we arrived in Smolensk the next night did the officer who accompanied us give us the reason for this journey, to be the effect that mass graves had been found. Whereupon, we journalists looked at each other with long faces and all agreed that if we had known that beforehand we would never have gone there.

Mr. FLOOD. When you speak of journalists, who do you mean? Do you recall some of them, their papers, their nationalities?

Mr. JAEDERLUNT. I have been trying to recollect the names of the others and who they were, but I can only remember one of them, a journalist from Yugoslavia by the name of Milan Micasinovitch, and I remember him better than the others because he was able to speak Russian and, thus, he was rather helpful to all of us.

Mr. FLOOD. Were there other journalists from various countries?

Mr. JAEDERLUNT. Yes, they had been selected from neutral countries.

Mr. FLOOD. About how many?

Mr. JAEDERLUNT. Approximately 5 or 6. I do not recollect the exact number.

Mr. FLOOD. Very well.

Mr. JAEDERLUNT. The next day we were taken by car to Krasny-Bor and to the forest and were shown the mass graves. In a large pit, we saw dead bodies, clad in uniforms, lying in several layers. They were sticking together like leaves. Certain dead bodies were taken out of the pit in our presence and examined. They were in a good state of preservation, probably owing to the nature of the soil—so to speak, half-mummified.

Professor Buhtz, director of the Criminological Institute and Institute for Judicial Medicine in Breslau was in charge of the exhumations. He requested us to select the dead bodies we wished to see personally and those that we wanted to see ourselves. We did so, and I was able to establish that the dead bodies had not been touched before or perhaps brought there from some place else.

The young Russians working in the pit had trouble in getting the dead bodies out because they stuck together so tightly. It happened at times that they only managed to extract a head alone.

The documents and papers found in the pockets of the clothes of the dead bodies were also well preserved. Only part of them showed traces of decay.

Mr. FLOOD. Do I understand that when these Russian workers were removing the bodies that in some cases the bodies came apart when they were trying to pull them out?

Mr. JAEDERLUNT. No. I said that now and again a head came off of the bodies, because they were sticking so closely. Many bodies just formed big lumps.

I read through a great number of letters, documents, pay books, diaries, and so forth, and I could also make out that many of these papers carried stamps of a Russian prisoner-of-war camp, and that no entry in diaries or pocketbooks bore a later date than April 20, 1940. I also established that the dead bodies I saw all came from the prisoner-of-war camp Kozielsk.

The dead bodies were lying in the grave in tightly packed layers. Many of them had their hands tied behind their backs and their mouths were filled with sawdust and they all showed the typical shots in the neck, and it was quite easy to gather an idea of how these mass executions had taken place.

Mr. FLOOD. We are interested in this business of sawdust in the mouths. Did you see any of the skulls or the open mouths of bodies with sawdust in them yourself? Did you actually see that?

Mr. JAEDERLUNT. Yes; there was a great number of dead bodies which had been taken out where I saw this sawdust. Some of the dead bodies had already been taken out the previous day, but we also selected a large number of dead bodies in the pits and had them taken out.

Mr. FLOOD. Now, on those bodies that you yourself selected and had removed from the pit in your presence, did you see unmistakable evidence of sawdust in the mouths of any of those bodies?

Mr. JAEDERLUNT. At least in once instance.

Mr. FLOOD. Did that body have the hands tied behind the back?

Mr. JAEDERLUNT. I do not recollect whether this particular body had its hands tied behind its back, but, in several cases, I recollect bodies which had sawdust in their mouths and the hands tied behind their backs, as we presumed, for the reason that they had been resisting prior to being shot.

Mr. FLOOD. The purpose for our interest is that this committee heard testimony taken in Washington by an eyewitness to this shooting who claims that he saw officers with their hands tied behind their backs, and NKVD soldiers or officers forcing open their mouths and forcing sawdust into the mouths and pushing them into the graves.

Did you notice any bodies with the hands tied behind their backs that may have been tied with wire?

Mr. JAEDERLUNT. What kind of wire?

Mr. FLOOD. Any kind of wire.

Mr. JAEDERLUNT. Yes; several dead bodies were pointed out to us whose hands were tied with wire.

Mr. FLOOD. On the other bodies with their hands tied behind their backs, what was used to tie the hands in some of the other cases?

Mr. JAEDERLUNT. Ordinary hemp rope.

Mr. FLOOD. Will you demonstrate on the interpreter two things: First, how the hands were tied behind the back, and, secondly, the point of entry and the point of exit, as you remember, of any bullet wounds you saw in the skulls?

Mr. JAEDERLUNT. It is rather difficult for me because I am a layman and not a physician.

Mr. FLOOD. All I want you to do is point how, if you remember, where in the back of the head the bullet went in and, if he remembers, where it came out.

Just show on the back of the head of the interpreter where you remember the bullet entered.

Mr. JAEDERLUNT. Here [indicating].

Mr. FLOOD. And where it came out—in the front some place?

Mr. JAEDERLUNT. I do not recollect.

Mr. FLOOD. Will you indicate how the hands were tied behind the back?

Mr. JAEDERLUNT. I do not quite recollect where they were lower down or higher up [indicating].

Mr. FLOOD. Where did you see these documents that you described?

Mr. JAEDERLUNT. Part of them was located in a wooden barracks that had been erected near the graves, where the documents of the previous day had been collected, and part of the documents came from the pockets of the clothes of the dead bodies which we had taken out of the pits.

Mr. FLOOD. You had seen these documents of various kinds removed from the bodies you selected, and the documents were removed in your presence?

Mr. JAEDERLUNT. Yes, I did.

Mr. FLOOD. And it was from those documents that you concluded the latest date was April 1940?

Mr. JAEDERLUNT. Yes; that is correct.

Mr. FLOOD. That wasn't from a lot of documents the Germans handed to you from some place else?

Mr. JAEDERLUNT. No. We were the first, actually, to see these documents, immediately after they had been taken out of the pockets of the bodies.

Mr. FLOOD. What story did you hear, and from whom did you get it, as to how the Germans first discovered the graves?

Mr. JAEDERLUNT. I was told the story as follows: Two Poles had been walking past this forest of Katyn—

Mr. FLOOD (interposing). Who told you the story?

Mr. JAEDERLUNT. I do not recollect, but I recollect that we questioned a few Russians later on and they confirmed it to us. We had the opportunity of staying in Smolensk and Katyn for several days because, at that time, no plane was available to take us back at once.

Mr. FLOOD. Were these Russians you talked to Russians from the area of Katyn and Smolensk?

Mr. JAEDERLUNT. Yes; that is so, and one of them related to us as I shall say now: Two Poles were walking along there in that area and, as the Poles usually did, asked the local people about other Poles.

Mr. FLOOD. What were Poles doing wandering around that area then?

Mr. JAEDERLUNT. Probably some workers enlisted by the Germans.

So, one of these Poles asked one of the Russian inhabitants of that region whether he knew anything about Poles having been in this region, and the Russian said: "Yes, in Krasny-Bor, some Poles are buried." And one of the Poles took a spade and went to the spot that had been indicated to him by this Russian. He began digging



and discovered some dead bodies wearing Polish uniforms. He then closed up the hole again, secured two pieces of timber and made a rough cross over that and, as the Russian said, literally, he cursed and wept, and then he walked away. After this incident, I was told that it took quite some time before these rumors started spreading and getting to the ears of the Germans. Whereupon, the Germans decided to start digging in the area and to investigate this matter.

Mr. FLOOD. What were the uniforms on the bodies that you saw at Katyn, if you know?

Mr. JAEDERLUNT. Do you mean any distinct nationality?

Mr. FLOOD. Yes.

Mr. JAEDERLUNT. Polish.

Mr. FLOOD. How do you know?

Mr. JAEDERLUNT. I had been in Poland previously and knew Polish uniforms.

Mr. FLOOD. Did you see or hear of any female bodies being found in the graves at Katyn?

Mr. JAEDERLUNT. Personally, I did not see any, but I was told there that one or two had been dug up.

Mr. FLOOD. Did you hear whether or not one of the female bodies found at Katyn was in the uniform of a Polish aviatrix, female?

Mr. JAEDERLUNT. No, never.

Mr. FLOOD. Did you see or hear that the bodies of any chaplains or clergymen of various denominations were found in the graves at Katyn?

Mr. JAEDERLUNT. I do not recollect that, but I wish to point out that I was in Katyn at a very early date when not many bodies had yet been brought up from the pits.

Mr. FLOOD. About how many had been brought up?

Mr. JAEDERLUNT. I do not recollect the number. A fair number.

Mr. FLOOD. What was the day, if you recall, that you got to Katyn?

Mr. JAEDERLUNT. As far as I recollect, but I am not sure that I am right, it might have been around about the 10th of April. It is easy to get the exact date from the authorities, because it was the first commission of journalists that went there.

Mr. FLOOD. Now, the newspaper story that you printed in the Swedish paper was dated, I believe, the 17th of April.

Mr. JAEDERLUNT. The report bears the date of the 17th of April, but prior to that we had spent several days in Berlin and several days in Smolensk.

Mr. FLOOD. As a matter of fact, the newspaper article dated on the 17th of April 1943 describes your experiences at Smolensk and Katyn.

Mr. JAEDERLUNT. Yes, that is so.

Mr. FLOOD. And, in view of the fact that the official German announcement of the discovery of the graves at Katyn did not occur until the 15th of April, then you actually were there even before the official announcement was made?

Mr. JAEDERLUNT. Yes, that is so. That is quite correct, and I have the impression that the then German Government wanted one of us neutrals to see and confirm the matter before making it known to the public at large, but, as I was told by my newspaper a few days ago, the editors of my paper kept back my articles for some time in order to wait until the Germans would publish something about the matter themselves.

Mr. FLOOD. Did the Germans in any way interfere with your examinations or observations at Smolensk or Katyn?

Mr. JAEDERLUNT. No, on the contrary, and I am in a position to give you some more details about that.

Mr. FLOOD. Please.

Mr. JAEDERLUNT. I walked about the whole Katyn Forest by myself and without any escort, and owing to the fact that we were unable to get a plane from Berlin to go back for several days, we spent several days at Smolensk and went out for walks over the area, either alone or two or three of us, without any German escort, and the captain of the propaganda company in that area actually lent me a horse and I rode about in the whole area without ever being hampered or hindered by anyone. I came across a good many soldiers standing at guard duty at crossroads and other points, but whenever I addressed them and asked them to direct me, they merely answered in Russian: "I do not understand." They were Russians doing service in the German Army. The local population was distinctly friendly and we went into their houses on various occasions and they were always very friendly and invited us to share their meals and to share the little they had at that time, and among ourselves we talked and said: "Well, in view of the fact that we have this opportunity of moving around for ourselves, let's do it and find out as much as possible for ourselves." That was before we saw the graves and we were skeptical because we thought it was merely a propaganda story and we wanted to find out as much as possible for ourselves. The population was fairly open hearted in talking to us and one day I asked a Russian worker what he thought their future would be, and the worker said: "Well, what we think, I and my fellow countrymen here, is that there is practically no difference between the Bolsheviks and the Nazis and we don't like either of them." He also said that it was their hope that the Bolsheviks and the Nazis would finish each other in this war, and he concluded by saying that in the end, after the Bolsheviks and Nazis had been finished, they hoped that the British would come with lots of money and that the social democratic party would then be supreme in Russia.

I related this in order to show that the Russian population was not in any way against foreigners and talking to them, and they were not exactly afraid of talking to us. That was not my impression, if you approached them in the right manner.

Mr. FLOOD. In your conversations with any of the Russian natives of the area did you inquire of them or did they volunteer any information about any shootings in the Katyn area, cries and disturbances and, if they did, when did those things take place?

Mr. JAEDERLUNT. Such statements came about the first time when the Germans called for witnesses on the day we went to the graves. These witnesses were called in from their houses and one of them, who lived very close to the forest, stated that he had seen transports of prisoners of war being brought in about April 1940, and possibly, as far as I recollect, he might also have mentioned May 1940. He also stated that the local population at that time had been strictly forbidden to approach the forest, but he lived so near the forest that he couldn't help passing very near the forest occasionally, and he had actually heard shootings and screams and shouts and he never noticed any prisoners of war coming out of the forest again, and several of these local peasants told the same story and they were very eager in

telling it and did not give any impression of having been coerced or worked on in any way.

Mr. FLOOD. Did they mention anything about any GPU or any NKVD Russians in the area at the time these things took place?

Mr. JAEDERLUNT. Yes, they said the NKVD actually forbade the local population to go near the forest. They also stated that there was a house in this forest which was a recreational home of NKVD. They further stated that if they went to look for dead bodies in that forest, they would not only find these bodies of that specific time in 1940, but they would also find a number of bodies executed before the war and in former times.

I might add another incident: The Germans told me when I was there that only a few days after the exhumations had begun, a Russian plane appeared over the forest and kept on circling over it for a long time, evidently eager to see what the Germans were doing in that forest—an observation plane.

Mr. FLOOD. As a distinguished Swedish neutral newspaperman at that time, in view of the magnitude of this observation, this matter at the Katyn Forest, and in view of your personal observations there, would it have been possible for the Germans to have staged this whole thing as a propaganda show?

Mr. JAEDERLUNT. We actually went there with this suspicion. We didn't all trust Goebbels and thought it would be possible he would be capable of doing such a thing. So our idea when we went from Smolensk to Katyn the first time was: "Let's try and get as much news as possible about conditions here in Russia and should we find or see any dead bodies, we shall report that matter just on a back page, not as an important item, because our Swedish press at home is sure to say: 'Leave atrocity stories to Goebbels'." But when I stood in front of the mass graves and when I realized what an atrocious crime had been perpetrated there, all my suspicions vanished and my own newspaper, at first, was not prepared to publish this report, but I insisted upon the report's being published because I said: "The world at large must know about this matter."

Mr. FLOOD. Did you then and now have an opinion as to who committed the murders at Katyn? We would like to have you express it, if you wish to. You don't have to, but if you wish to and have an opinion, will you tell us?

Mr. JAEDERLUNT. Then and now I was and I am absolutely convinced that the Russians committed it. I do not wish to say the Russians. I would rather amend it to the NKVD.

Mr. DONDERO. Did all of the bodies that you saw at Katyn have their hands tied behind them?

Mr. JAEDERLUNT. No; only single ones.

Mr. DONDERO. Did you see any more than one?

Mr. JAEDERLUNT. Yes; I saw several.

Mr. DONDERO. Were they tied with rope or wire?

Mr. JAEDERLUNT. Those, as far as I could see, were tied with rope.

Mr. DONDERO. What was the color of it?

Mr. JAEDERLUNT. I don't recollect.

Mr. DONDERO. Was it flat or round?

Mr. JAEDERLUNT. I must state that I went there as a journalist and not as a scientist.

Mr. DONDERO. That is all.

Mr. FLOOD. Mr. O'Konski?

Mr. O'KONSKI. No questions.

Mr. FLOOD. The committee realizes that as a newspaperman and a Swede there was no particular occasion for you to come here. You appeared voluntarily, and we appreciate the valuable evidence you have given us.

Thank you.

We will take a recess of 5 minutes.

(Whereupon a recess was taken.)

AFTER RECESS

Mr. FLOOD. The hearing will be in order.

We will call Mr. Kramer.

**TESTIMONY OF RUDI KRAMER, 45 AM LINDENBAUM, FRANKFURT/  
MAIN, GERMANY (THROUGH THE INTERPRETER, MR. VON  
HAHN)**

Mr. FLOOD. Do you object to being photographed, Mr. Kramer?

Mr. KRAMER. I would rather not have it.

Mr. FLOOD. Then there will be no photographs of the witness.

Will you give your name and your present address to the stenographer, please?

Mr. KRAMER. Rudi Kramer, Frankfurt/Main, 45 am Lindenbaum.

Mr. FLOOD. Mr. Kramer, we will have read to you an admonition as a witness, that will be translated in German.

Mr. MITCHELL. Before you testify it is our wish to invite your attention to the fact that under German law you will not be liable for slander or libel, either in criminal or in civil proceedings, for anything you may say in your testimony so long as you tell the truth. At the same time, we wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as the result of your testimony.

Mr. FLOOD. Does the witness understand the admonition?

Mr. KRAMER. Yes; I do.

Mr. FLOOD. Will you rise, then, and be sworn, please?

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KRAMER. I swear, so help me God.

Mr. FLOOD. What is your name?

Mr. KRAMER. Kramer.

Mr. FLOOD. What is your present occupation?

Mr. KRAMER. I am a director of the municipality, retired on pension.

Mr. FLOOD. What municipality?

Mr. KRAMER. I was in charge of the sports department in the town of Breslau.

Mr. FLOOD. Where are you now residing?

Mr. KRAMER. Here in Frankfurt.

Mr. FLOOD. Were you ever identified with the German armed forces?

Mr. KRAMER. Yes; I was.

Mr. FLOOD. Did you ever have occasion to serve on the Russian or Smolensk front?

Mr. KRAMER. Yes; I did.

Mr. FLOOD. Were the matters of the Katyn massacre ever brought to your attention while you were in that area?

Mr. KRAMER. I was present from the beginning to the end.

Mr. FLOOD. What was your rank, and what was the nature of your unit serving in the Smolensk area at the time of the discovery of the graves by the Germans?

Mr. KRAMER. I was Sonderfuehrer "Z"—that is the rank of lieutenant—with the propaganda detail W in Smolensk.

Mr. FLOOD. Who was the commanding officer of the propaganda unit at Smolensk when you served there?

Mr. KRAMER. My direct superior was Lieutenant Anschuetz, and the C. O. was Gans.

Mr. FLOOD. During your service in the Smolensk area did you ever have occasion to visit the Katyn Woods or the Dnieper Castle in that area generally before the graves were discovered?

Mr. KRAMER. Yes; I did.

Mr. FLOOD. Do you know where the Dnieper Castle was located?

Mr. KRAMER. Yes; I do.

Mr. FLOOD. Did you walk, at any time, in the woods within, say, a thousand meters all around the castle?

Mr. KRAMER. I did not get to the forest of Katyn before I had not heard from the local population of the existence of such graves.

Mr. FLOOD. Will you detail for us, as best you remember, the conversation you had with any Russian person of the area with reference to these graves in Katyn?

Mr. KRAMER. Yes, I can.

Mr. FLOOD. In your own words. Please proceed.

Mr. KRAMER. I was detailed to the propaganda detail W at the beginning of March 1943. Originally I had been detailed to this unit as a sports officer, with the task of interesting myself in sports activities of the military units, and also in connection with sports of the local population.

I was instructed by the propaganda unit to work among the Russian population, which was not anti-German at that time, to try and gain some influence on the Russian population and to foster pro-German feelings among them. We published a newspaper in the Russian language and also had theatrical groups come out to the area to present shows for the Russian population, and thus we established close contacts with the Russian population.

Behind the locality called Krasny Bor there was another place called Gniezdowo. I had to go to that place frequently on duty and had many conversations with the local people. On one of those occasions an old peasant, who was living right on the railroad line near the forest, told me that there were mass graves in the forest. He also said that there were several small crosses erected in the forest, and that the local population had the habit of going there on holidays and putting some flowers down near them.

Mr. FLOOD. Did he indicate when these graves had been made?

Mr. KRAMER. Yes, later. Later on I asked him, once, whether he could recollect when these graves had come into existence, and he said, "3 years ago."

Mr. FLOOD. What was the date of the conversation when he said that?

Mr. KRAMER. This conversation must have taken place about the middle or towards the end of March 1943, after we had transmitted the report of this peasant to the army group and had been instructed to investigate the matter.

Mr. FLOOD. Do you talk or understand Russian?

Mr. KRAMER. No, I always went out with an interpreter.

The peasant related that, 3 years before, large transports had arrived at Gniezdowo station and that the men had been taken out of the boxcars at the station. In his opinion these men in the trains were not Russians, but Polish soldiers. Some of them were put into trucks and taken to the forest; other had to march from the station to the forest.

Later on, some time later, I asked several of those peasants whether they recollected the approximate number of men who had been taken to the forest. They did not give any figure, but they said, "Very many, very many, and they kept on arriving for days and days," and not one of those that they had seen taken to the forest had ever returned from it.

After having reported the matter to higher quarters, and after we had been instructed to investigate, we went into the forest and found sort of a clearing in it, planted with small trees, and we actually discovered two primitive crosses and also some dried flowers lying about.

Mr. FLOOD. What do you mean by "primitive crosses"?

Mr. KRAMER. They were not carved in any way. Probably the people who had erected them had just cut off some wood and put it together.

Mr. FLOOD. Do you use the word "primitive" to mean "ancient", or do you use it to mean "rude and clumsy"?

Mr. KRAMER. I meant the second version, that they were made in a crude manner and that they also had been standing there for some time or other.

Mr. FLOOD. What were the crosses made out of?

Mr. KRAMER. I believe it was birchwood, but I am not quite certain about that.

Mr. FLOOD. Proceed, please.

Mr. KRAMER. Some small distance from the graves, approximately 200 or 300 meters, there was a house, a building, which was subsequently used by the Germans, which was called the Dnieper Castle.

I reported all that I had discovered to my unit, which, in its turn, transmitted the report to the army group. The army group then issued orders to start digging.

Mr. FLOOD. These trees that you referred to as small trees, were they on or around the grave where the crosses were?

Mr. KRAMER. There were no actual graves. The whole soil of the clearing was flat and uniform, no mounds of earth or anything and on this even clearing small trees were growing all over.

Mr. FLOOD. Will you indicate with your hand, witness, from the floor, as you best recollect today, about the height of those trees, the small trees?

Mr. KRAMER. About so high [indicating].

Mr. FLOOD. The witness indicates in the area of 2½ to 3 feet.



Mr. KRAMER. On the very first day when digging started I was not out there, but I came there on the second or third day, and they were busy digging in an area of approximately the size of this room. They were digging down in many spots, and whenever they dug down they came upon dead bodies. The area might have been considerably larger than this room. It is not quite easy to estimate the size.

The digging was done, then, in a systematic way. First of all, they dug down very deep so as to ascertain how far down the dead bodies reached into the ground, and then they opened up towards the sides.

The dead bodies were lying in the grave, sticking together in one solid mass. They were sort of mummified and dried out, probably for the lack of air which had not been able to get to the bodies, and that had caused a sort of mummification of the dead bodies. They were fully clad in uniforms, even with leather belts and everything that belonged to a uniform, and they all wore boots. Some of them had their hands tied behind their backs, but that was not uniform. We found some without their hands tied, and then there was one, again, with his hands tied, so it was diverse.

I wish to state that these statements I made during the last few minutes came from my observations and investigations over some longish time. I have just been giving a survey of my observations covering some longish period.

Mr. FLOOD. Yes.

Mr. KRAMER. In the meantime, Professor Buhtz, from Breslau, whom I had already known in Breslau because I had business with him there, had been put in charge of the exhumations, and because of the fact that I had known him before, I had quite a few good opportunities of seeing things and learning things which, in the ordinary course of my duties, I would perhaps never have learned.

All ranks were found in the graves among the dead bodies, ranging from generals down to assistant medical officers and cadets. Physicians were also found.

The dead bodies were all lying in layers, very close together, and it was established by and by that 12 layers of dead bodies were stacked on each other. We also established that all the men had been killed by shots in the neck, and we assumed that the execution took place in such a way that one row of men had to lie down at the bottom of the pit with their faces down and had then been shot. Then the next row of men had to lie down on top of the men who had just been shot, and were killed subsequently, and so on, one layer after the other. This assumption is based on the fact that we found several bodies with more than one bullet hole.

Several actions were coordinated there. First of all, we of the propaganda unit had been given the task to try and get international commissions to the graves so that they should investigate the thing. There were commissions—one international commission of medical experts; another commission consisted of foreign journalists; then there was also a commission of writers, authors, and artists, and also a commission of Western Allied Officers who were prisoners of war in Germany. I also recollect a large group of Polish clergymen who had been brought there, and then, subsequently, the relatives and next of kin of the murdered men started arriving from Poland. They kept on coming all the time, as soon as the identification of the dead bodies had begun.

Simultaneously, we carried on our investigations among the local population, so as to find out when these transports of prisoners had arrived in the area, and it was established from many statements that this happened in April 1940. This was further confirmed by the fact that all entries in diaries, pocket-books, etc., which we later found on the dead bodies, ended between April 16th and April 19th, 1940. The third proof was established by getting forestry experts to come to this forest and examine the small trees, and they all established that the trees had been in that spot for about 3 years.

The commissions that came to the graves were taken there by German officers. Once on the spot, they had full liberty to investigate on their own, to go about, to talk to the auxiliary volunteers who did the digging up, and also to talk to the local population. They were not hindered in any way; they could just do as they liked. Professor Buhtz also helped them in every way, and insofar as when these commissions were especially interested in special dead bodies, and pointed them out, they were immediately taken out of the pits and the members of the commission were allowed to designate special bodies which they wanted to have taken out, and that was always done at their request.

As the weather became warmer, gradually conditions became very unpleasant. There was a terrible smell, and millions of flies started collecting, so that it was imperative to rebury the bodies that had been taken out of the pits as quickly as possible.

Up to the day when the exhumations ceased because it was becoming too hot, I estimate that about 3,000 bodies had been taken out of the pits, of which 800 had, by then, been identified. From the situation and the measurements of the graves, we made an estimate that there would probably be between 8,000 and 10,000 bodies in the ground.

The population, in the course of all these investigations, became more talkative, and also pointed out to us that there were more graves in the vicinity. Upon investigating those graves it was found that they merely contained civilians who had probably come to death during the fighting. At any rate, no more soldiers or any uniformed persons were found in the surroundings.

On account of the great heat in the summer, the exhumations ceased approximately in July—it might have been a little earlier—and were to be restarted some time in September. However, my unit was transferred to Italy from Smolensk early in September, so I am unable to state whether the exhumations ever began again or not.

Mr. FLOOD. You say you don't know whether the exhumations began again or not in September?

Mr. KRAMER. No; I do not know that.

Mr. FLOOD. Well, the military situation on the eastern front changed about that time, so that it was necessary for the Germans to withdraw. Do you remember hearing about that?

Mr. KRAMER. Yes; that is correct. We heard in Italy, from some of our fellow soldiers who had remained in the Smolensk area, that when the Russians came back into that area they were very eager to get to the Katyn Forest as quickly as possible.

Mr. FLOOD. That being the case, and since the graves were closed in the summer before the exhumations were completed, it is entirely possible that if the graves were opened in September, or subsequently

reopened, that additional missing Polish bodies might have been found?

Mr. KRAMER. Yes, that is correct. In my estimation we only succeeded in clearing about one-third of the area. Two-thirds was never touched by us because we didn't have time.

Mr. FLOOD. You have heard of the other two prison camps, besides Kozielsk, of Starobielsk and Ostoskov?

Mr. KRAMER. No, I have not.

Mr. FLOOD. Now, according to your theory as to how the executions took place, with the prisoners forced to lie down flat on their faces over the previously executed prisoners, you say that that indicated that bullet wounds, several bullet wounds, were found in other bodies. Well, how would that theory produce that conclusion?

Mr. KRAMER. It was merely on the top layers that we made the discovery that some of the dead bodies had more than one wound, because further down it was impossible, you could not expect any human being to actually climb down into the pits, because the stench was so terrible, the whole thing, that nobody could actually go down there, they could only be pulled out with hooks, or something like that. Therefore, we only noticed these several wounds in some bodies on the top layers.

We noticed in several cases—not in each one, but in quite a few cases—on the top layers of the dead bodies, that the bullet which had penetrated the skull of the top body had gone on in the same direction and hit the bodies underneath, not in the same place where the bullet had hit the first body, but the way of the bullet, or the course of the bullet, was lying in exactly the same direction, so that it was unmistakable that the bottom body had been hit by the same bullet. That was why we established this theory.

Mr. FLOOD. That is interesting, because there is medical testimony that certain bodies, some bodies, were found with more than one bullet wound, and that is an interesting observation to explain that.

Mr. Dondero?

Mr. DONDERO. Were you at the Katyn graves, Mr. Kramer, during April of that year?

Mr. KRAMER. Yes, I was.

Mr. DONDERO. What kind of weather do they have in that area?

Mr. KRAMER. Partly there was still snow and ice in the area.

Mr. DONDERO. Were all of the bodies buried with their faces down?

Mr. KRAMER. I did not see any body that was not buried with its face down.

Mr. DONDERO. Did you see any bodies with overcoats on?

Mr. KRAMER. Yes, I recollect one general; altogether two generals were found, and one general was still wearing a fur coat.

Mr. DONDERO. That is all.

Mr. FLOOD. Mr. O'Konski?

Mr. O'KONSKI. No questions.

Mr. FLOOD. We appreciate very much that you have come here and volunteered this testimony to the committee. It is important, and we thank you.

Mr. Skarginsky.

**TESTIMONY OF MATVEY SKARGINSKY (THROUGH THE INTERPRETER, MR. VON HAHN)**

Mr. FLOOD. Witness, do you object to being photographed?

Mr. SKARGINSKY. No, I do not object.

Mr. FLOOD. Will you please spell your full name?

Mr. SKARGINSKY. M-a-t-v-e-y S-k-a-r-g-i-n-s-k-y.

Mr. FLOOD. We will now have an admonition read to the witness.

Mr. MITCHELL. Before you testify it is our wish to invite your attention to the fact that under German law you will not be liable for slander or libel, either in criminal or in civil proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as the result of your testimony.

Mr. FLOOD. Do you understand the admonition?

Mr. SKARGINSKY. Yes, I do.

Mr. FLOOD. Please rise and be sworn.

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SKARGINSKY. I do, so help me God.

Mr. FLOOD. What is your name?

Mr. SKARGINSKY. Skarginsky, Matvey.

Mr. FLOOD. What is your first name?

Mr. SKARGINSKY. Matvey.

Mr. FLOOD. Where were you born?

Mr. SKARGINSKY. In Elizavetgrad.

Mr. FLOOD. You are a Russian?

Mr. SKARGINSKY. Yes, I am.

Mr. FLOOD. Were you ever a member of the Russian armed forces?

Mr. SKARGINSKY. At the end of the Czarist Army, and later on a member of the White Russian Army.

Mr. FLOOD. Were you ever taken prisoner by the Germans?

Mr. SKARGINSKY. No, I was not.

Mr. FLOOD. In what way did you become identified with the German armed forces?

Mr. SKARGINSKY. I received a mobilization order in Berlin in October 1941, a mobilization order extending to non-German citizens.

Mr. FLOOD. Did you ever serve in the Smolensk area?

Mr. SKARGINSKY. Yes; on several occasions during the last war.

Mr. FLOOD. In what capacity did you serve with the Germans on the Smolensk front?

Mr. SKARGINSKY. At first, when Smolensk was occupied in 1941, with the motorized heavy artillery detachment No. 808.

Mr. FLOOD. Well, when did you first get to the city of Smolensk?

Mr. SKARGINSKY. I do not quite recollect, but it was at the end of July—it was at the end of July or at the beginning of August 1941.

Mr. FLOOD. Witness, will you raise your voice a little bit, please?

Mr. SKARGINSKY. Yes.

Mr. FLOOD. Just talk louder.

Mr. SKARGINSKY. Yes.

Mr. FLOOD. You said you were born in Russia and you were mobilized by the Germans in Berlin. How and under what circumstances did you get to Berlin?

Mr. SKARGINSKY. I lived in Yugoslavia up to May 1941, and after the occupation of Yugoslavia by the Germans the Labor Office sent me to Germany for work, and that is how I got to Berlin.

Mr. O'KONSKI. In other words, you served in the German armed forces not by choice but you were conscripted for that service, were you not?

Mr. SKARGINSKY. That is correct.

Mr. O'KONSKI. And you were serving against your will?

Mr. SKARGINSKY. I was conscripted. I did not volunteer. I was conscripted and mobilized.

Mr. O'KONSKI. Now, will you tell us briefly what you know about the Katyn massacre?

Mr. SKARGINSKY. Yes.

I was a member of this artillery unit which I mentioned up to October 1942. In October 1942 I was transferred to the staff headquarters of the Ninth Army. The staff headquarters of this army were located in Sitschewka, in the Smolensk area.

Mr. O'KONSKI. Then, as I understand it, you were employed by the German staff as an interpreter because of your knowledge of the Russian language; is that correct?

Mr. SKARGINSKY. That is correct.

Mr. O'KONSKI. Then in your job as interpreter, what assignment were you given by the German Staff regarding the Katyn massacre?

Mr. SKARGINSKY. When the staff headquarters were transferred to Smolensk in February 1943, then rumors started spreading that somewhere in the Smolensk area there were mass graves and that these mass graves were located near the former NKVD recreation home in the vicinity of Katyn. I thereupon was given orders to interrogate the local population living in the vicinity of Katyn.

I thereupon interrogated some 30 local peasants from three villages lying in that specific area. The name of the one village is Gniezdowo; the other two I do not recollect.

And I also interrogated three railroad officials who were already railroad officials under the Russians and remained railroad officials in German services after the occupation had taken place. There were several railroad officials who were employed right at the Gniezdowo Station.

The most interesting statement was given by one of those railroad employees, one of the officials. All the statements tallied in that respect, that early in the summer of 1940, freight trains started arriving at the railroad station, containing Polish prisoners. The trains used to arrive shortly before midnight on every occasion. The box-cars were locked from the outside. In the small cabins where the brakemen sit, as is usual in Europe, there were NKVD guards guarding the train. The trains arrived at the station without any official papers, so that it could not be ascertained from where they were coming.

Mr. O'KONSKI. Did the railroad station attendants tell you it was early spring of 1940 that these cars arrived?

Mr. SKARGINSKY. As far as I recollect, they told me that it was at the end of the spring or at the beginning of summer 1940.

Mr. O'KONSKI. Did they mention any specific months?

Mr. SKARGINSKY. I only recollect the year of 1940 and, as I said before, the end of the spring or beginning of summer.

The prisoners who were in the boxcars were taken out of those railroad cars and marched off to the forest of Katyn in marching order; it was four and four. Strict orders had been issued at that time that nobody was to approach the railroad line and the road leading from the station to the forest. All the railroad officials were also forbidden, those who were not right on duty at the station. Nobody was to approach the line or the road.

Mr. O'KONSKI. There is one thing I would like to check with you.

You testified a little earlier that you were conscripted in Berlin in October of 1941; then later you said you reached the Smolensk area in August 1941. Will you clear up those two dates? Evidently, you must have been confused.

Mr. SKARGINSKY. Yes, I made a mistake. I meant to say I had been mobilized in October 1941 and the first time I got to Smolensk was in November 1941, not in August; not in August but in November 1941.

Mr. O'KONSKI. You said that you interviewed about 30 natives and 3 depot agents. Did they all agree as to the time of the arrival of the Polish soldiers, and did they also agree that they were disposed of by the Russians at that time?

Mr. SKARGINSKY. The statements by all those various people differed only to a very slight extent. It was only a matter of a month or two. Some of the people stated that the prisoners had arrived in May; others said they had arrived in June. But all the statements taken together very much tallied with each other.

Mr. O'KONSKI. There was no native that you interviewed, or official that you interviewed, that said anything otherwise, to the contrary?

Mr. SKARGINSKY. It was like this: Very detailed statements came from those railroad officials, because they were actually on the spot and saw the Polish prisoners being taken out of the boxcars or being marched away, because they were on duty at the trains, at the station.

The peasants, however, were not allowed to come near the station or the forest and could only see things going on from afar. So they only said, "We saw some trains arriving and some people being taken out of the trains and some people being marched away." But they could not say whether they had been Polish prisoners or whatever they were because they were too far away and the area was cordoned off, so they could not get near the spot.

But nobody ever made a statement different to this one.

Mr. O'KONSKI. Did you, in your process of interviewing, ever get acquainted with a deputy mayor in Smolensk, by the name of Boris Basilevsky?

Mr. SKARGINSKY. Yes; I did. He was second acting buergermeister of Smolensk.

Mr. O'KONSKI. Did you have any conversations with him?

Mr. SKARGINSKY. I only talked to him very little because I hardly knew him, but I know that shortly before the Germans had to evacuate Smolensk, he crossed over to the Soviets.



Mr. O'KONSKI. You came here of your own accord to testify, did you not?

Mr. SKARGINSKY. Yes; quite of my own accord.

I want to mention that I knew well the first buergermeister of Smolensk, by the name of Boris Menschagin.

Mr. O'KONSKI. Did he express any opinion as to who committed the crime at Katyn?

Mr. SKARGINSKY. I knew Menschagin very well; he was actually a friend of mine. His opinion all the time was that the Polish officers had been murdered by the Soviets.

Mr. O'KONSKI. Do you know what has become of Menschagin since?

Mr. SKARGINSKY. Menschagin I saw in Berlin in 1944 and 1945, and at the end of May 1945, Menschagin was in Karlsbad—it was just across the Czech-Slovakian border—which was occupied by the Americans at that time. But then, all of a sudden, one night the Soviets occupied Karlsbad, and a few hours afterwards, Menschagin was taken away by the Soviets and was never seen again. His wife is at present in the United States, in New York, with the children.

Mr. FLOOD. We appreciate your coming here and we thank you for your testimony, Mr. Skarginsky.

Mr. SKARGINSKY. Thank you.

**TESTIMONY OF KARL GENSCHOW, HACHENBURG, GERMANY  
(THROUGH INTERPRETER VON HAHN)**

Mr. FLOOD. Mr. Genschow.

Do you object to being photographed?

Mr. GENSCHOW. I have no objection to being photographed.

Mr. FLOOD. Will you spell your name?

Mr. GENSCHOW. Karl G-e-n-s-c-h-o-w. Hachenburg.

Mr. FLOOD. We are about to read you an admonition that we read to all witnesses before they testify. It will be read in English and then translated into German.

Mr. MITCHELL. Before you testify, it is our wish to invite your attention to the fact that, under German law, you will not be liable for slander or libel, either in criminal or in civil proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as a result of your testimony.

Do you understand this statement?

Mr. GENSCHOW. Yes; I understand.

Mr. FLOOD. Will you rise and be sworn, please?

Do you swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. GENSCHOW. I do.

Mr. FLOOD. What is your full name?

Mr. GENSCHOW. Karl Genschow.

Mr. FLOOD. What is your business?

Mr. GENSCHOW. I was formerly president of the Gustav Genschow Co., and at present I am trustee of the same firm, which is under French supervision.

Mr. FLOOD. Will you spell the name of the company?

Mr. GENSCHOW. G-u-s-t-a-v Genschow & Co.

Mr. FLOOD. What is the business of that company?

Mr. GENSCHOW. Formerly the firm manufactured ammunition and weapons and exported these goods.

Mr. FLOOD. Where was the main office of this company?

Mr. GENSCHOW. In Berlin.

Mr. FLOOD. Where is the chief manufacturing plant?

Mr. GENSCHOW. The ammunition works were in Durlach, near Karlsruhe.

Mr. FLOOD. How long has the company been in business?

Mr. GENSCHOW. The factory has been in existence since 1887 and the ammunition works since 1906.

Mr. FLOOD. During that period of time, did the company ever manufacture pistol ammunition?

Mr. GENSCHOW. Yes.

Mr. FLOOD. Did it ever manufacture pistol ammunition of the caliber of 7.65?

Mr. GENSCHOW. Yes.

Mr. FLOOD. Is that a very common type of caliber for pistol ammunition?

Mr. GENSCHOW. It is a very common type.

Mr. FLOOD. What was the trade-mark of the pistol ammunition on that caliber?

Mr. GENSCHOW. The trade-mark was changed several times in the course of the years.

Mr. FLOOD. Will you give us some of the trade-mark names?

Mr. GENSCHOW. Yes. The cartridges of the shells of this pistol ammunition carried, since the year 1933-34, the word "Geco" on the bottom of the shell, and underneath the "Geco" was "7.65".

Mr. FLOOD. Can 7.65 ammunition of the type manufactured by this firm be used in various kinds and makes of pistols?

Mr. GENSCHOW. Yes, it could; because it was a standard type of cartridge which could be used in very many different makes of pistols.

Mr. FLOOD. Was it used internationally by various nations, police, or armed forces, in pistols?

Mr. GENSCHOW. Yes; certainly.

Mr. FLOOD. Did this firm ever export pistol ammunition of the caliber 7.65 to Eastern Europe?

Mr. GENSCHOW. Yes; that is the case.

Mr. FLOOD. Do you know what caliber of ammunition was used and what kind of pistol was used by the NKVD or the GPU from the year 1933 until the end of the war?

Mr. GENSCHOW. No; I do not know that also, because since 1928 we did not export large quantities of pistol ammunition to Soviet Russia.

Mr. FLOOD. Did you export any quantities of 7.65 pistol ammunition to Soviet Russia?

Mr. GENSCHOW. Yes; before 1928, somewhat larger amounts.

But I wish to point out that at that time the stamp on the bottom of the cartridge was different from the one I stated before, and after 1928 the quantities which were exported were small.

Mr. FLOOD. But there were some quantities shipped to Soviet Russia after 1928, of 7.65 ammunition bearing the "Geco" trade-mark?

Mr. GENSCHOW. Yes.

I wish to point out that the trade-mark which was used before 1933-34, when the latest trade-mark was introduced, also had the word "Geco" in it and "7.65." There was only the addition of two D's slightly underneath the right and left end of the word "Geco."

Mr. FLOOD. So that the trade-mark "Geco," regardless of the other details you are giving us, was on 7.65 ammunition shipped to Soviet Russia for some time?

Mr. GENSCHOW. Yes. Most probably, it may be that some deliveries took place in former years, before we put the word "Geco" on the bottom of the cartridges. There may have been some older deliveries many, many years ago, where it only stated "7.65" with a "D" underneath.

Mr. FLOOD. Can you keep 7.65 pistol ammunition for any length of time if it is properly cared for?

Mr. GENSCHOW. If you store it properly and if the cartridges remain in their original packings, you can safely store it for 10 to 20 years.

Mr. FLOOD. Did you ship any ammunition to other eastern European countries, other than Soviet Russia?

Mr. GENSCHOW. Yes; in particular, to the three Baltic States.

Mr. FLOOD. What do you mean by the three Baltic States?

Mr. GENSCHOW. Esthonia, Latvia and Lithuania.

Mr. FLOOD. Did you ever ship any 7.65 pistol ammunition to the three Baltic States?

Mr. GENSCHOW. Yes; I did export quantities which were considerably larger than those going to Soviet Russia, although not unduly large.

Mr. FLOOD. What do you consider a small shipment in the number of units?

Mr. GENSCHOW. We did not export more than two or three thousand rounds to Soviet Russia after 1928; but to the Baltic States, to my recollection, we exported approximately 50,000 rounds to each of the three.

Mr. FLOOD. Did you ever export any pistol ammunition to Poland?

Mr. GENSCHOW. We did not export any pistol ammunition to Poland during the time under review because conditions for such exports were not advantageous. We did, however, export shells and bullets separately to that country; which however, were marked differently so as to distinguish them from our original make which we used to export.

Mr. FLOOD. Did you ever export any 7.65 pistol ammunition to Poland from 1933 up to 1940?

Mr. GENSCHOW. I do not recollect. I do not think that we did it.

Mr. FLOOD. What about from 1923 to 1940?

Mr. GENSCHOW. It may be, but I do not recollect that because we had to stop our exports of ammunition to Poland all of a sudden owing to new customs regulations having come into force in Poland. But I do not recollect the year when that happened.

Mr. FLOOD. Of course, you know that "Geco" shells, cartridge shells, were found in the graves at Katyn, do you not?

Mr. GENSCHOW. Yes. I learned that after the German Wehrmacht had made its investigations in Katyn.

Mr. FLOOD. Was this matter ever brought to your attention by the then German authorities?

Mr. GENSCHOW. Not immediately. I only discussed this matter with the army high command and the weapons division. They requested me to submit extracts from our statistics on exports to foreign countries, which we had carried out. And only in the course of these negotiations with the high command did I learn that this type of bullet and shells had been found in the Katyn graves.

Mr. FLOOD. Did they inquire as to whether or not your firm exported 7.65 ammunition to any of the countries in the Baltic or Eastern Europe?

Mr. GENSCHOW. Yes; and we had to give accurate details of the quantities which had been exported to each single country and in what year.

Mr. FLOOD. Do you have any questions, Mr. Dondero?

Mr. DONDERO. No questions.

Mr. FLOOD. Mr. O'Konski?

Mr. O'KONSKI. No questions.

Mr. FLOOD. We appreciate your coming here, Herr Director, and thank you very much for the testimony you have given.

We will now adjourn until 10 o'clock tomorrow morning, at which time we will hear the scientist, Dr. Orsos, and the Swiss doctor, Naville.

(Whereupon, at 12 o'clock noon the committee recessed, to reconvene at 10 a. m. Saturday, April 26, 1952.)

# THE KATYN FOREST MASSACRE

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SATURDAY, APRIL 26, 1952

HOUSE OF REPRESENTATIVES,  
THE SELECT COMMITTEE TO INVESTIGATE THE  
*Frankfurt on Main, Germany.*

The committee met at 10 a. m., pursuant to recess, in the main courtroom, Resident Officer's Building, 45 Bockenheimer Anlage, Hon. Ray. J. Madden (chairman) presiding.

Present: Messrs. Madden, Flood, Machrowicz, Dondero, and O'Konski.

Also present: John J. Mitchell, chief counsel to the select committee, and Roman Pucinski, committee investigator and interpreter.

Present also: Eckhardt von Hahn and Hilda Duplitz, interpreters. (The proceedings and testimony were translated into the German language.)

Chairman MADDEN. Dr. Tramsen.

## FURTHER STATEMENT OF DR. HELGE TRAMSEN

Mr. FLOOD. Doctor you were sworn and testified the other day, and we recall you for the purpose of detailing a little further your identification of certain exhibits that are already in evidence.

I am going to show you exhibits 49 through 59, inclusive, and ask you to take each one of them—they are marked on the back—and identify them, one by one. You don't have to identify every person in these group pictures, just identify the ones that you think are the outstanding personalities; and on the pictures that do not contain persons just give us a short description of the matters depicted thereon.

Will you proceed, please?

[Exhibits shown in Wednesday, April 23, 1952, hearing. See pp. 1431-1440]

Dr. TRAMSEN. All these pictures were taken by the German press officers, partly at Katyn, and a few in Berlin.

Exhibit 49 shows a picture of a post-mortem autopsy which took place in Katyn. The picture shows me in the process of the post mortem, having opened the chest on the body of the Polish officer Captain Szyminski.

Exhibit 50 is another incident at the external examinations of the dead bodies in Katyn. Professor Hajek is just about removing one of the boots of the dead body, being watched by Professor Subek.

Exhibit 51 shows another incident at the examinations of the identification papers extracted from one of these bodies. Professor Milos-

lawitch is just about opening one of these papers, and I am standing by watching.

Exhibit 52 shows a cranium of one of these Polish officers, with a clear exit wound in the skull, and, it is clearly to be seen, a pistol bullet lying in the wound.

Exhibit 53 shows the hands of a Polish officer tied by the cord mentioned before.

Exhibit 54 shows a picture of one of the diaries of the Polish officers.

Exhibit 55 shows the personal belongings of one of the Polish generals, with the name Smorawinski. In the left corner is shown a cigarette case with the initials of Polish names, a bankbook, a personal identification card with a photograph, and in the right corner you see a commendation showing that this general was awarded the Polish order of Virtuti Military.

Exhibit 56 shows one of the laboratories in the German Institute at Smolensk. Professor Miloslavich is holding a skull, and on the table in the foreground are another six skulls of Polish officers.

Exhibit 57 shows the final meeting of the Committee at the Institute in Smolensk. The German professor, Dr. Buhtz, is standing at the end of the table, and along the side is Professor Orsos, Professor Naville, Professor Palmieri, and several others of the members of the committee.

Exhibit 58 shows a room in the German ministry of health in Berlin. In the foreground Professor Orsos is handing the committee's protocol to Reichsgesundheitsfuehrer Conte. In the background can be seen most of the members of the committee.

Do you want me to name the names of these members?

Mr. FLOOD. A resonable number; you don't have to name them all.

Dr. TRAMSEN. Yes, Professor Palmieri, Professor Saxen, Professor Speleers, Professor Hajek, Dr. Markhov, Dr. Birkle, and Dr. deBurlet.

The last exhibit, No. 59, is taken in the courtyard of the Hotel Adlon in Berlin. After the final meal the committee was collected with Dr. Conte. The picture shows, from the left toward the right, Dr. Zietz, Professor Naville, Professor Subek, Professor Palmieri, Professor Miloslavich, Professor Hajek, Professor Orsos, me, Dr. Conte, Dr. Markhov, Professor Buhtz, Profesor de Burlet, Profesor Speleers, Dr. Costedoat, Profesor Saxen, and two German secretaries from the ministry of health.

That is the total number.

Mr. FLOOD. There are also exhibit 60 and exhibit 66.

Dr. TRAMSEN. Exhibit 60 shows the castle in the woods of Katyn, and a few members of the committee walking past it in the foreground, and between them Professor Orsos.

Exhibit 66 is a photograph of a Polish diary in which can be clearly seen the last written page, and here is the date given, as the 9th of April.

Mr. DONDERO. What year?

Dr. TRAMSEN. No year.

May I ask a question?

Mr. FLOOD. You may; yes.

Dr. TRAMSEN. If the protocol signed in person by the various members of the committee will be of any use for the congressional committee.



Mr. FLOOD. Now, do I understand that the document you have there is a copy of the protocol with the actual signatures of the scientific members to the commission?

Dr. TRAMSEN. Yes; that is so.

Mr. FLOOD. Made in your presence?

Dr. TRAMSEN. Yes, signed in my presence and by the members themselves.

Mr. FLOOD. Let the committee see the last page of the signatures for a moment, please.

(Document submitted to the committee.)

Mr. FLOOD [continuing]. We have the protocol in the record. There would be no sense in reproducing the protocol itself, but we would like to see page 7 thereof, which you say contains the signatures of the members made in your presence.

We appreciate, Doctor, you showing us this extremely interesting and important exhibit. There is no reason why this should be added to the record, but we are grateful for the opportunity of seeing the original signatures. This original protocol will be placed in the permanent archives of the committee.

Now I will ask the stenographer to mark for identification some other photographs, which there will be no need to identify in any further detail, as exhibits Nos. 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, and 98. And in that last group these photographs are of significance because they indicate the conversation between the members of the commission and the Russian native; they indicate the meeting of Dr. Orsos, with the skull from which he was expounding his theory of calcification in the brain pulp; Dr. Orsos indicating the body which he wished removed, and the removal of that body from the grave; and the Swiss Dr. Naville and the Italian Dr. Palmieri examining an obviously badly decomposed corpse; and the best aerial photo that we have observed so far of the Katyn Forest area in the vicinity of the Dnieper Castle.

(The photographs referred to were marked Frankfurt exhibits Nos. 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, and 98, and are shown on pp. 1584-1596.)

Mr. FLOOD. Doctor, I show you photographs marked for identification as exhibits 84 to 98, inclusive, and I ask you whether or not they are the photographs of, and generally reflect, as I have indicated, the incidents at Katyn during your visit with the commission.

Dr. TRAMSEN. Yes; they are.

Mr. FLOOD. We will offer those in evidence.

(Exhibits 84 to 98, inclusive, shown below:)

Mr. FLOOD. Thank you, Doctor, for the second time. That will be all.

Dr. Orsos.

## EXHIBIT 84



Conversation between members of the International Medical Commission and a Russian native.

## EXHIBIT 85



Dr. Buhtz and Medical Commission members examining one of the exhumed bodies.

EXHIBIT 86



Dr. Palmieri (right) in conversation with unidentified man at Katyn.

EXHIBIT 87



Professor Hajek holding arm of Katyn victim.

## EXHIBIT 88



Dr. Orsos explains theory of calcification in brain pulp to the members to the Commission.



EXHIBIT 89



Dr. Orsos (Hungary) and Professor Saxen (Finland) examining exhumed Katyn corpse.

## EXHIBIT 90



Dr. Orsos (Hungary) performing autopsy being watched by Professor Saxen (Finland) and German soldier assisting.



EXHIBIT 91



Dr. Orsos (Hungary) indicating body to be exhumed and its removal.

## EXHIBIT 92



(Right to left) Dr. Naville (Swiss) and Dr. Palmeri (Italian) examining badly decomposed corpse.

EXHIBIT 93



Exhumation of of Katyn victim—watching at edge of pit is Dr. Orsos (Hungary) and others.

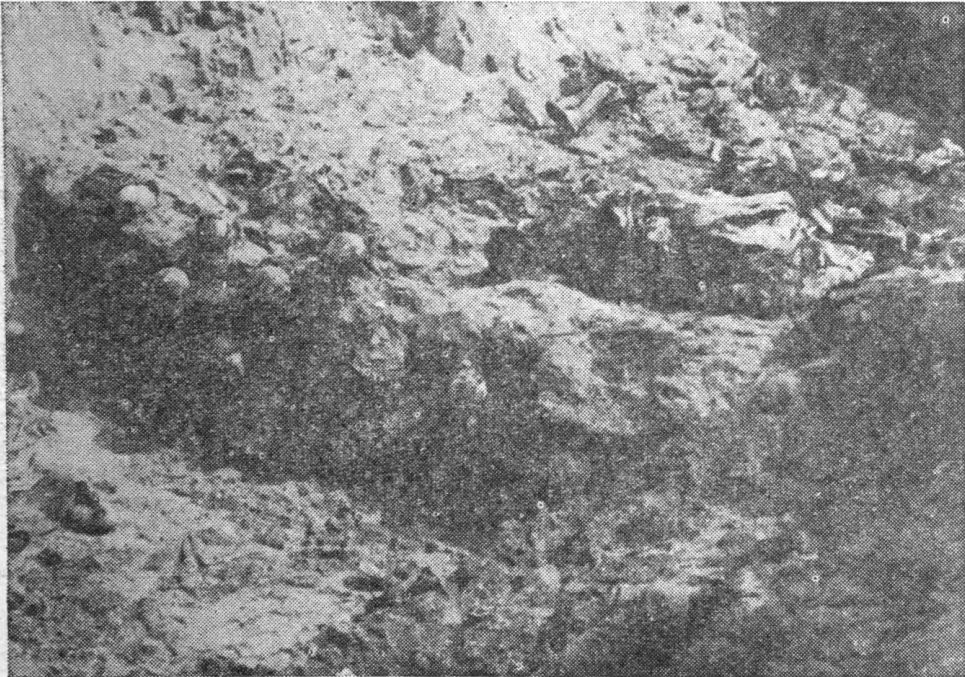


## EXHIBIT 94



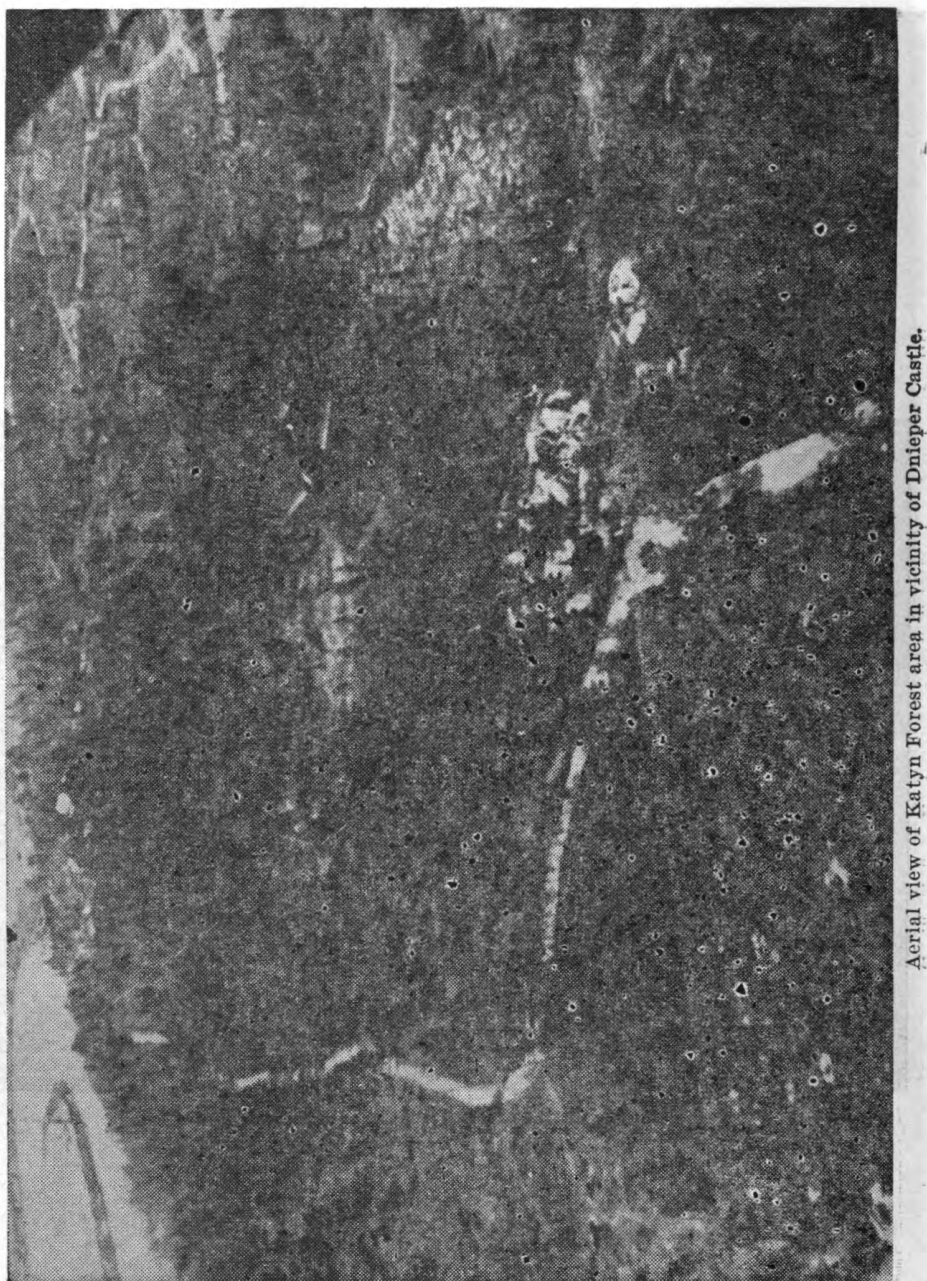
View of bodies in graves.

EXHIBIT 95



View of partial exhumation of bodies at Katyn.

EXHIBIT 98



Aerial view of Katyn Forest area in vicinity of Dnieper Castle.

Aerial view of Katyn forest area in vicinity of Dnieper Castle.



EXHIBIT 97



Exhumed Katyn victim.

EXHIBIT 98



Exhumed bodies of Polish victims at Katyn.

**TESTIMONY OF DR. FERENC ORSOS, MAINZ, GERMANY (THROUGH  
THE INTERPRETER, MR. VON HAHN)**

Mr. FLOOD. Doctor, do you have any objections to being photographed?

Dr. ORSOS. Yes, I do object.

Mr. FLOOD. You object? Very well. Doctor, please give your name, the correct spelling of your name, and your present address, to the stenographer.

Dr. ORSOS. Ferenc Orsos.

Chairman MADDEN. Doctor, I will make a statement for your consideration:

Before you testify it is our wish to invite your attention to the fact that under German law you will not be liable for slander or libel, either in criminal or in civil proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time it is our wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceedings which may arise as the result of your testimony.

Dr. ORSOS. I understand.

Chairman MADDEN. Now stand and be sworn, please.

Dr. ORSOS. What shall I swear? What oath am I to take?

Chairman MADDEN. The customary oath.

Dr. ORSOS. I have been admitted to courts as an expert for judicial medicine for forty years. I took an oath at the beginning of my career, and I believe that if I took another oath again, that would only be detrimental to my reputation.

Mr. FLOOD. Please explain to the doctor that this committee has no doubt at all about the doctor's integrity and his great reputation and distinction, but that under the practices of the House of Representatives the oath is a formality that the House of Representatives requires in giving testimony. However, if the doctor does not wish to take a solemn oath, he can merely affirm that the testimony he gives will be the truth, the whole truth, and nothing but the truth, and in that case the sworn oath of the nature we generally administer will not be required; he can merely affirm.

Dr. ORSOS. During my whole career, every time I have had to testify it was pointed out to me that on the occasion of my permanent appointment for life as an expert for judicial medicine I was reminded that I had taken the oath on my appointment, and before every proceeding this fact was pointed out to me, and that was regarded as being sufficient.

So, if the committee would just point out to me and ask me to remember my first oath, that would tally with my practice.

Mr. FLOOD. We have no objection to taking the testimony under those circumstances, and at this time we take this occasion to remind the doctor of his oath taken as a scientist for this purpose, as he has just described.

Dr. ORSOS. Yes.

Mr. FLOOD. And, of course, the doctor affirms that the testimony will be the truth at this conference.

Dr. ORSOS. Yes; I do.

Mr. FLOOD. Then I think we are in complete agreement.

Doctor, what is your name?

Dr. ORSOS. Ferenc Orsos.

Mr. FLOOD. Where were you born?

Dr. ORSOS. In Temesvar, Hungary.

Mr. FLOOD. Doctor, will you please tell us from what schools or universities you graduated, and what were your degrees and courses?

Dr. ORSOS. Only the degrees obtained from universities, or everything?

Mr. FLOOD. In the field of pathology and forensic medicine.

Dr. ORSOS. Yes. In Budapest University. Then I became an assistant doctor, physician, in Budapest, and from 1906 I was chief prosekter and expert for judicial medicine in Pecs.

Mr. FLOOD. In your long experience as a pathologist did you ever have occasion, Doctor, to perform autopsies and post mortems upon dead bodies and disinterred corpses?

Dr. ORSOS. In many hundreds of cases.

Mr. FLOOD. Doctor, will you now please direct your attention to the year 1943 and the matter of the Katyn massacres?

Dr. ORSOS. Yes; I will.

Mr. FLOOD. And, Doctor, where were you living and in what practice were you engaged in April of 1943?

Dr. ORSOS. I was a professor of judicial medicine and director of the department for judicial medicine at Budapest University and at the Institute for Judicial Medicine in Budapest. At the same time I was expert for judicial medicine for all high courts in the surroundings of Budapest.

Mr. FLOOD. How were you invited, and under what circumstances, to participate in the scientific investigations at Katyn?

Dr. ORSOS. I was called upon by the Hungarian Foreign Office and the Ministry of Culture to take part in this international commission, in view of the fact that I was the only professor of forensic medicine and expert in this field, and there was no other expert like me in all the five universities in Hungary. I was exclusively engaged in forensic medicine in Hungary and did not do any other work, whereas my colleagues from the other universities were only doing this kind of work occasionally, acting for others, and that was the reason why I was asked to be a member of this commission.

Mr. FLOOD. Then you were invited by the Foreign Office of your own Government and not directly and personally by the then German Government?

Dr. ORSOS. That is correct. I presume that the then German Government had previously negotiated with the Hungarian Government about this matter.

Mr. FLOOD. Do you know a Dr. Conte, a German, a Dr. Buhtz, a German, and a Dr. Zietz, a German? Do you recall them?

Dr. ORSOS. Yes; I do.

Mr. FLOOD. Will you tell us who they were and in what way they were identified with this commission?

Dr. ORSOS. Dr. Conte was the so-called Reich health leader, and, at the same time, president of the Reich medical chamber.

Buhtz, Professor Buhtz, was an expert for forensic medicine at Breslau, in Silesia.

Dr. Zietz is a German, and he accompanied us to that area and made all arrangements for our accommodations, etc., and just cared for us.

Mr. FLOOD. Doctor, in your own words, then—and I am sure you are capable of doing so very well—would you take us, now, to Katyn and describe your observations and autopsies performed there?

Dr. ORSOS. Yes. After our return to Berlin from Katyn, and after we had handed the protocol to Dr. Conte, all of us, that is, all the commission, undertook not to disclose anything about our Katyn investigations, neither by the spoken word nor in writing, unless some new scientific points would come up and we would find it necessary to make additions to our original protocol. That is because we were only asked to act as experts for forensic medicine. We only had to answer two questions. Everything that we saw at Katyn we entered in our protocol after a very careful and thorough discussion among ourselves. We were aware of the fact that if we were to talk about the things that we had seen we would destroy the scientific value of our protocol and would probably be a party to propaganda.

That is all.

Mr. FLOOD. Doctor, did you observe the bodies in the graves?

Dr. ORSOS. Yes, I did; certainly I did.

Mr. FLOOD. And did you yourself perform any autopsies or post mortems on any of the bodies?

Dr. ORSOS. Yes; I did.

Mr. FLOOD. Did you reach any conclusion as to the cause of death?

Dr. ORSOS. Yes, I did, and you will find that in the protocol.

Mr. FLOOD. Was the cause of death in any of the bodies, or any body out of the group that you examined, a gunshot wound in the head?

Dr. ORSOS. That is also stated in detail in the protocol.

Mr. FLOOD. And did you have occasion to observe whether or not the gunshot wounds—if they were the cause of death, as described in the protocol—were fired proximate to the skull?

Dr. ORSOS. The protocol even states the distance in inches or measurements in centimeters.

Mr. FLOOD. And did you observe, Doctor, that the bodies that were discovered in the graves and that you saw there were dressed in the uniforms of Polish officers?

Dr. ORSOS. That is also stated in detail in the protocol.

Mr. FLOOD. And did you, Doctor, as indicated by pictures now in evidence, and as indicated in the protocol, talk to certain Russian inhabitants of the area?

Dr. ORSOS. Yes; I did.

Mr. FLOOD. And did you observe, Doctor, on certain of the bodies, that the hands were tied behind the back in a certain way?

Dr. ORSOS. This was also laid down in the protocol.

Mr. FLOOD. And as is evidenced by certain photographs taken on the spot and now in evidence?

Dr. ORSOS. Yes.

Mr. FLOOD. And did you observe, Doctor, that certain of the bodies were wearing overcoats or greatcoats, or what could be described as winter clothing?

Dr. ORSOS. We investigated all these matters in full detail and put all these details into the protocol.

Mr. FLOOD. And did you observe, Doctor, on the bodies of some of the corpses taken from the grave and in the area and in certain exhibits, documents, and personal belongings of the dead officers?

Dr. ORSOS. Yes.

Mr. FLOOD. And did you, Doctor, in the presence of your fellow scientists, expound to them, using as an exhibit a skull opened by you, a certain theory of calcification of brain pulp?

Dr. ORSOS. Those were no theories; those were experiences of a period of more than 30 years.

Mr. FLOOD. And you expounded them as a scientific fact?

Dr. ORSOS. Yes; that is so.

Mr. FLOOD. Do you care to outline for the benefit of the committee generally, Doctor, the Orsos theory on the calcification of brain pulp in the skull and organic changes brought about by interment, which would indicate the time in which the body had been buried?

Dr. ORSOS. No; I am not prepared to do it. But I am handing you the heading of an article which I published in a scientific paper, copies of which you will find in any scientific library, and all details of this teaching of mine can be found in this article.

Mr. FLOOD. Will you place in the record and translate into English the name and the address of this article, dealing with this theory of organic change of the skulls?

Mr. VON HAHN. It is in Hungarian.

Mr. FLOOD. Then place it in the record as it is given you by the witness.

(The following was contained on the document produced by the witness and was translated into German by the witness:)

Orvosi Hetilap  
1941, No. 11

(Athenaeum Budapest)

A halál utáni csontmésztelenedés, szuvasodás és pseudocallus.

Mr. VON HAHN. The English version is approximately:

The post mortal decalcification, callus, and pseudocallus on bones.

That is the title of the article.

Mr. FLOOD. Doctor, did you point out to the scientists at Katyn, as indicated in the protocol and in the photograph, evidences of that scientific conclusion?

Dr. ORSOS. Yes; I did.

Mr. FLOOD. And did you, Doctor, at the conclusion of your autopsies and analysis, sign such a protocol, as you have referred to it?

Dr. ORSOS. Yes; I did.

I would like to add something. We discussed all the matters the whole afternoon in every detail after we had finished with the post mortems. I wrote down every remark made by all the members of the commission. Then I dictated the medical part of the protocol.

We finished up at 3 o'clock in the morning. Then we went to the mess hall. Some of my colleagues had already gone to bed. And very early in the morning we left on our return flight in three planes.

The protocol had been read out to us in this mess hall, in this canteen, the manuscript, the draft, and when we reached the town of Bialystok on our return flight, a military plane caught up with us with mimeographed copies of the protocol. There, at that place; we



had about one and a half hours to read through the protocols and to sign them, and then we continued our return flight to Berlin.

Mr. FLOOD. Doctor, did you read the protocol and did you sign it?

Dr. ORSOS. Yes, I did.

Mr. FLOOD. Do you subscribe today to your signature and to the protocol?

Dr. ORSOS. Yes, I do.

Mr. FLOOD. Your distinguished, the Danish scientist Tramsen, has placed in the hands of the committee a copy of the protocol signed by the members of the commission, including you, Dr. Orsos. I show you, Dr. Orsos, Dr. Tramsen's copy and ask you if that is your signature on page 7?

Dr. ORSOS. Yes. I confirm this to be my signature. Each one of us was handed such a copy of the protocol.

Mr. FLOOD. Is it not true that the distinguished doctor himself was chairman of the commission and was elected as such by his fellow members?

Dr. ORSOS. Apparently, if my colleagues agreed with that, it was probably because I was the oldest in age and the most experienced scientist in this field, in view of the fact that I had carried out more than 80,000 autopsies. So if my colleagues agreed to that, then I was the chairman of this committee.

Mr. FLOOD. I might state, Doctor, that your distinguished colleagues Miloslavich, the Croat, and the Dane, Tramsen, have so advised us and agreed.

Dr. ORSOS. I cannot confirm that I was officially appointed chairman of the commission, but it was a gentlemen's agreement.

Mr. FLOOD. There is no doubt in the mind of the committee that because of the doctor's distinction and vast experience, if he had not been he should have been so appointed.

Dr. ORSOS. Actually, we were all the same in the commission and, actually, I was only requested to take the chair during our discussions and at our meetings. It was on that afternoon which I mentioned before.

Mr. FLOOD. I show you, Doctor, certain photographs placed in evidence by Dr. Tramsen, the Danish scientist and a member of the commission, upon which the distinguished witness now on the stand appears at various times, and ask you whether or not you can identify yourself on those photographs?

Dr. ORSOS. Yes. I am to be seen on each one of them.

Mr. FLOOD. Doctor, do you have any further statements to make?

Dr. ORSOS. Yes. And, in fact, the one thing which I have much at heart is that my name should not be published in the papers. I do not want to be pointed out in the papers because it would prejudice my present position.

Mr. FLOOD. I might point out, Doctor, that the committee indicates that the press is present. We have no control over the action of the public press, but we merely direct the attention of the press to the request of the witness.

Dr. ORSOS. I would like to add, in connection with Katyn, that we, the members of the commission, were allowed to select single dead bodies in the pits, so that those were brought up which we had specially designated.

I have no more to say.

Mr. FLOOD. I will say to the doctor for the committee that we have always been impressed by his great distinction. We know how busy he is in his duties today, and we are very grateful that he would take the time to come here and help us with these proceedings.

Thank you very much, doctor.

**TESTIMONY OF DR. FRANCOIS NAVILLE, GENEVA, SWITZERLAND  
(THROUGH FRENCH INTERPRETER, HILDA DUPLITZA)**

Mr. FLOOD. In view of the fact that the next witness I am advised, will testify in French, it will be necessary to have a French translator, and then the French will be translated into German and so on.

Mr. Chairman, will you swear the French interpreter?

What is your name?

Miss DUPLITZA. Hilda Duplitza.

Chairman MADDEN. Do you solemnly swear that you will interpret the testimony and translate from French into English, and vice versa, truthfully; so help you God?

Miss DUPLITZA. I do.

Chairman MADDEN. Doctor, do you object to being photographed?

Dr. NAVILLE. No photographs.

Chairman MADDEN. Doctor, would you state your name and address to the reporter, please?

Dr. NAVILLE. Naville, Francois; 68 years old.

Chairman MADDEN. Before you testify, it is our wish to invite your attention to the fact that, under the German law, you will not be liable for slander or libel, either in criminal or in civil proceedings, for anything you may say in your testimony, so long as you tell the truth. At the same time, I wish to make it quite clear that neither the Government of the United States nor the Congress of the United States assumes any responsibility in your behalf with respect to libel or slander proceeding which may arise as a result of your testimony.

Dr. NAVILLE. Yes; I agree.

Chairman MADDEN. Will you be sworn?

Do you swear that you will, according to the best of your knowledge, tell the truth, the whole truth, and nothing but the truth; so help you God?

Dr. NAVILLE. I do.

Mr. FLOOD. What is your name?

Dr. NAVILLE. Naville.

Mr. FLOOD. Where were you born?

Dr. NAVILLE. In Switzerland; Neuchatel.

Mr. FLOOD. Are you a Swiss citizen?

Dr. NAVILLE. Yes.

Mr. FLOOD. What is your profession?

Dr. NAVILLE. A professor of forensic medicine in Geneva.

Mr. FLOOD. In what universities did you take your degrees in pathology and forensic medicine?

Dr. NAVILLE. In Geneva.

Mr. FLOOD. How long have you been engaged in your profession?

Dr. NAVILLE. 40 years.

Mr. FLOOD. In the practice of your profession, Doctor, have you ever had occasion to perform post mortems or autopsies upon dead bodies or upon corpses disinterred?

Dr. NAVILLE. I want to say that at the Forensic Institute in Geneva, we have approximately 150 corpses to examine during the period of a year.

Mr. FLOOD. I direct your attention to the year of 1943 and ask you whether or not, at any time in that year, your attention was directed to the massacres at Katyn?

Dr. NAVILLE. Yes.

Mr. FLOOD. How were you invited, and by whom, to become a member of the international medical commission at Katyn?

Dr. NAVILLE. Through the Polish Red Cross and the German Red Cross, the government had been asked to form an international commission, and the Russian Government at that time disagreed. And at that time a private commission was formed, and I was asked to become a member of this commission.

Mr. FLOOD. Who asked you to become a member?

Dr. NAVILLE. Through the German consulate in Geneva.

Mr. FLOOD. Doctor, do you know a Dr. Conti, a Dr. Buhtz and a Dr. Zietz?

Dr. NAVILLE. I made their acquaintance only on the occasion of Katyn.

Mr. FLOOD. Will you tell us who each one is, as you remember?

Dr. NAVILLE. Dr. Conti was the chief of the Reich Health Ministry. Dr. Buhtz at that time was in charge in Smolensk, of all forensic affairs in general, or only with Katyn; I am not sure about that.

Dr. Zietz is not a physician, he is a philologist, and he was in charge only of the administrative part of these affairs, and he was a member of the Medical Chamber of Germany. He should be asked what he did exactly at the time because I don't know.

Mr. FLOOD. Doctor, Dr. Zietz has already testified.

Doctor, will you tell us now what transpired when you arrived at Katyn with your fellow-scientists on the commission?

Dr. NAVILLE. We spent 2 days or a part of 2 days in the wood of Katyn, and we saw about 800 or a thousand corpses; and we made about 10 autopsies, not all myself but among my colleagues.

I want to emphasize the fact that we did not make autopsies on corpses that were pointed out to us, but we selected the corpse on which we desired to make an autopsy.

Mr. MACHROWIŹ. I have one question there, Doctor.

Did you select them from the corpses that were already exhumed, or those that were obviously untouched before you came there?

Dr. NAVILLE. The corpses that were still in the grave.

Mr. FLOOD. Doctor, can you tell us whether or not the Germans cooperated in any way, or did they interfere with your scientific experiments in any way at all?

Dr. NAVILLE. No. We were completely free to do what we wanted to. We could stay on the left hand side or the right. Then I myself walked out on the forest, the wood. I was together with a French doctor by the name of Costedoat, who spoke Russian. I went along with him. And I also interrogated some Russian natives who were working there.

Mr. FLOOD. Did you have an opportunity, Doctor, to talk to any Russian inhabitants of the area?

Dr. NAVILLE. Not directly. Those people had been heard by all our people together but not by me personally.

Mr. FLOOD. Do you recall the substance of any of the conversation that was had before the whole group with any of these Russian peasants in the neighborhood?

Dr. NAVILLE. Not very clearly. Professor Orsos, who spoke Russian, interrogated these people and I was told that they had said that; but, naturally, of course, I could not speak any Russian and I don't know what they were talking about.

Mr. FLOOD. Doctor, did you examine any of the corpses, with particular attention to the cause of death?

Dr. NAVILLE. Yes.

Mr. FLOOD. What, in your opinion, Doctor, was the cause of death?

Dr. NAVILLE. Shots that were fired in the skull from a very near distance.

Mr. FLOOD. What were the facts that led you to conclude that the shots were fired from a very near distance?

Dr. NAVILLE. First of all, because it had been aimed very carefully, and then because there were some powder burns.

I want to remark here that in the newspapers it was published that these people had been killed by machine guns; but this is not correct.

Mr. FLOOD. What is your opinion, Doctor, as to how they were killed?

Dr. NAVILLE. I think that they must have been standing. I don't believe that they had been lying. I believe they had been standing when they were shot.

Mr. FLOOD. Doctor, had you ever had any experience, before you went to Katyn, in the examination of bodies where the cause of death had been gunshot wounds, particularly fired by pistol?

Dr. NAVILLE. Yes.

Mr. FLOOD. Do you have any opinion, Doctor, as to what kind of weapon was used in the killing?

Dr. NAVILLE. If this has been referred to in the protocol, I don't remember the caliber any more.

Mr. FLOOD. Could it have been a pistol?

Dr. NAVILLE. Yes.

Mr. FLOOD. Is it possible for you to say, Doctor, from the similarity of the wounds, the shots having been fired close to the skull in all cases, and from the course of the bullets and the other circumstances; is it possible for you to say, Doctor, from your long experience in such matters, that these killings had all been done by pistol and with a very practiced hand?

Dr. NAVILLE. Naturally, a person with some experience. And from these powder marks, you could determine that these shots had been fired from at least 10 centimeters (about 6 inches).

Mr. FLOOD. Doctor, will you demonstrate upon the interpreter, if you will be so kind, the point of entry and the point of exit of the shot?

(Dr. Naville indicated on Interpreter von Hahn.)

The doctor indicates the point of entry as the base of the skull, at the hair line of the neck, the general area.

Dr. NAVILLE (indicating on Mr. von Hahn). And the exit of the bullet depended on the occasion. Sometimes it was here, here, or there.

It depended on from where the shot was fired, from what direction. And there were corpses who had received many shots.

Mr. FLOOD. The point of exit was indicated by the doctor on the subject as being between the hair line and the eyebrows, in the general area of the forehead.

Dr. NAVILLE. Yes.

Mr. FLOOD. Did you observe, on any of the bodies, wounds made by any other instrument than a pistol or a gunshot wound?

Dr. NAVILLE. No. I had been shown a piece of clothing showing a square hole made by a four-edged bayonet, but I am not sure whether this piece of cloth was from one of the corpses lying in the grave there, or from any other thing.

Mr. FLOOD. Did you observe, Doctor, that any of the corpses had their hands tied behind their backs?

Dr. NAVILLE. Yes. We saw a small number. I remember, I am not quite sure, I know, I had been told that there had been a number of those corpses who had the hands tied behind their backs. I think I saw a small number myself, but I am not quite positive.

Mr. FLOOD. Were you shown any bodies that were described to you as having been found in the general area of the graves but were said to be the bodies of Russian civilians buried some time before the Katyn bodies?

Dr. NAVILLE. One or two.

Mr. FLOOD. Do you recall, Doctor, whether or not any of those bodies were female?

Dr. NAVILLE. No.

Mr. FLOOD. Do you remember whether or not those bodies had their hands tied behind their backs?

Dr. NAVILLE. Yes, they had.

Mr. FLOOD. Do you recall, doctor, whether or not any of those bodies had a cloth thrown over the head, with a rope tied around the cloth at the neck?

Dr. NAVILLE. Yes. I saw it.

Mr. FLOOD. Do you have any observation to make with reference to the growth of the trees that were identified with the Katyn graves?

Dr. NAVILLE. In this forest there were big trees and also small trees about that high [indicating]. And I remember someone had stated that they had been somewhere else before. Whether they had been taken away from there I cannot recall.

Mr. FLOOD. Do you recall, doctor, whether or not, at a meeting in Smolensk, after the commission had visited the graves, whether or not a professional German forester demonstrated anything with reference to small trees said to have been taken from the grave?

Dr. NAVILLE. Yes. I recall it very well. And I have here a photograph showing these exactly, the special examination of these made by this man.

Mr. FLOOD. Will you have the stenographer mark this photograph as exhibit 99?

(The photograph referred to was marked for identification as "Exhibit 99" and follows:)

## EXHIBIT 99



German foresters making laboratory tests of trees from Katyn Forest.



Dr. NAVILLE. I am not an expert on botany, I am not a forester; so I don't know anything about it.

Mr. FLOOD. Do you recall, doctor, anything that was said by the forestry expert at that meeting in Smolensk, with reference to the small trees said to have been taken from the top of the grave and discussed at the time the picture was taken?

Dr. NAVILLE. Yes. He said that these trees are about 5 years old and that they had been transplanted about 3 years prior to that time. But the one that I saw had, in my opinion, more than 5 years. And, actually, I have seen the cut of these trees, and I have seen some lines were closer to each other, and they might have been more than 3 years.

Mr. FLOOD. What kind of uniform, if you know, was on the bodies at Katyn?

Dr. NAVILLE. I believe they were all Polish uniforms.

I have here some buttons I have brought along.

Mr. FLOOD. Will you let me have one of them?

Dr. NAVILLE. The eagle is better on this one [producing button.]

Mr. FLOOD. Do you mean the Polish eagle?

Dr. NAVILLE. I believe so.

Mr. FLOOD. Do you know, Doctor, from what material those buttons are made?

Dr. NAVILLE. No, I do not know. They are probably aluminum; I am not sure.

Mr. FLOOD. Aluminum does not generally rust, does it?

Dr. NAVILLE. No.

Mr. FLOOD. Will you have this envelope marked as "Exhibit 100" containing a uniform button taken from a Polish officer's uniform, as mentioned by the doctor?

(The envelope referred to, containing a uniform button, was marked for identification as "Exhibit 100," and is in the committee files of which photograph is shown.)

Mr. FLOOD. I now show the witness this envelope marked for identification as "Exhibit 100," and ask him whether or not it contains the button he just showed the committee.

Dr. NAVILLE. I am not quite sure. I see the eagle better than before.

Mr. FLOOD. Then, doctor, for the record, will you select from the envelope that you brought with you, a button from one of the uniforms and place it in the envelope marked "Exhibit 100"?

Did you observe whether or not any of the bodies had any overcoats, or great coats, or winter uniforms?

Mr. MACHROWICZ. I think the record should show that in answer to Congressman Flood's question, the doctor has selected a button and placed it in the envelope marked "Exhibit 100". (Exhibit 100 shown below.)

EXHIBIT 100



Button taken from Polish officer's uniform.

Dr. NAVILLE. Yes, they wore winter clothing.

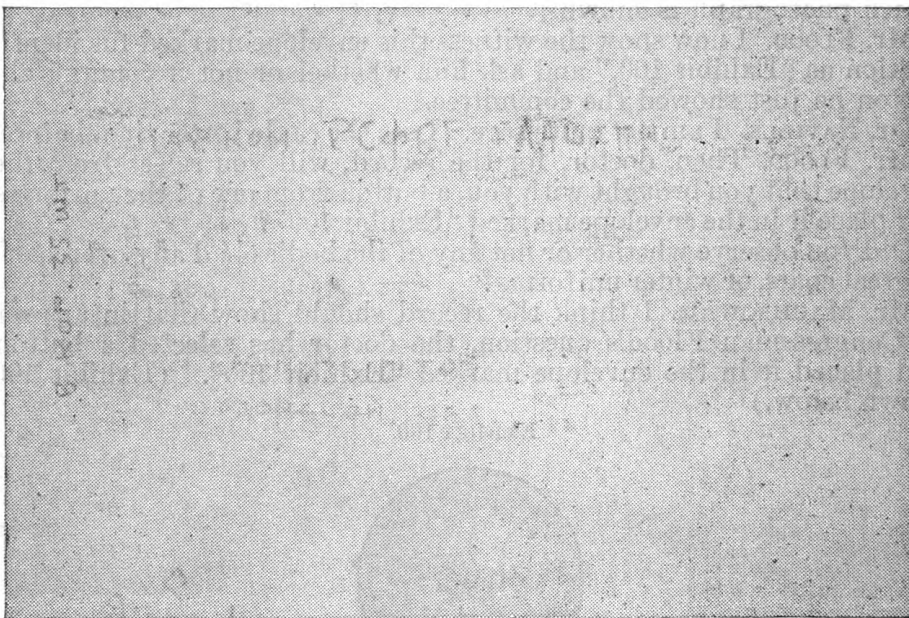
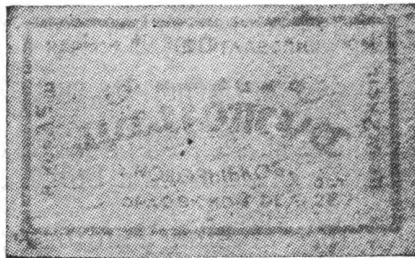
Mr. FLOOD. Did you observe whether or not there were any documents or personal belongings or objects on any of the bodies, and did you see any such things?

Dr. NAVILLE. I have here a picture on which I am seen just taking out of the pocket of one of the bodies a box of matches, and I have a photograph of this box of matches in my possession. I also found a cigarette holder which has an inscription Kozielsk on it, and, when I found this cigarette holder, I remember that there was an inscription on it of 1939-1940, but you can't see it any more. There is a pencil copy of the Russian text and also of the French translation on the photograph.

Mr. FLOOD. I now ask the stenographer to mark for identification as exhibits 101, 101A, and 102 this envelope containing the documents and translations and the photograph of the match box top as just described by the doctor as having been taken by him from one of the bodies at the Katyn graves.

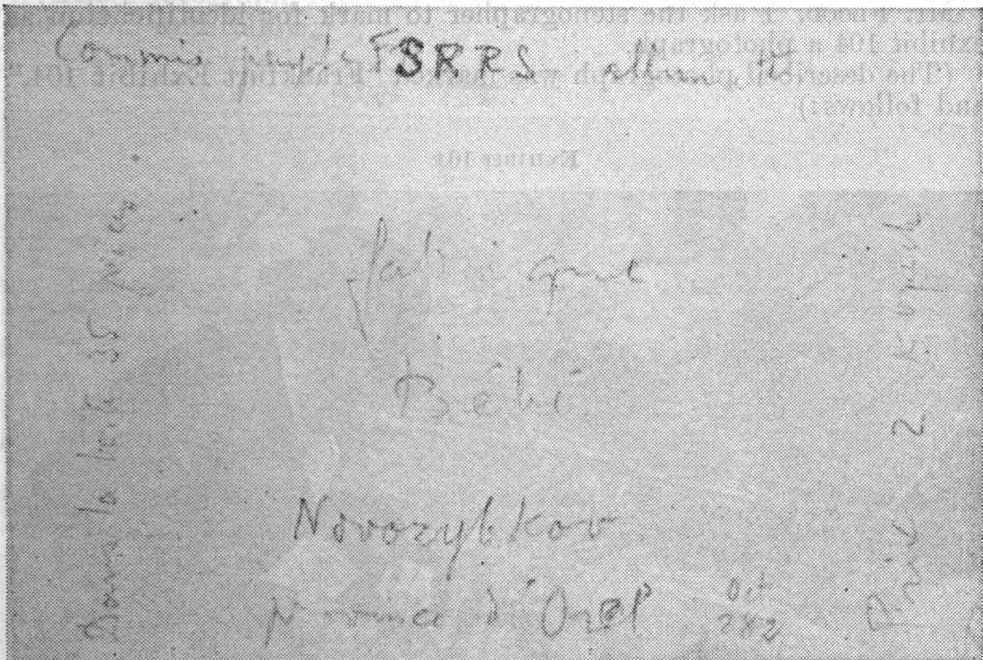
(The above described envelope was marked "Frankfurt Exhibit 102," and follows.)

EXHIBITS 101 AND 101A



Box of matches and documents removed from exhumed body.

## EXHIBIT 102



Document removed from exhumed body.

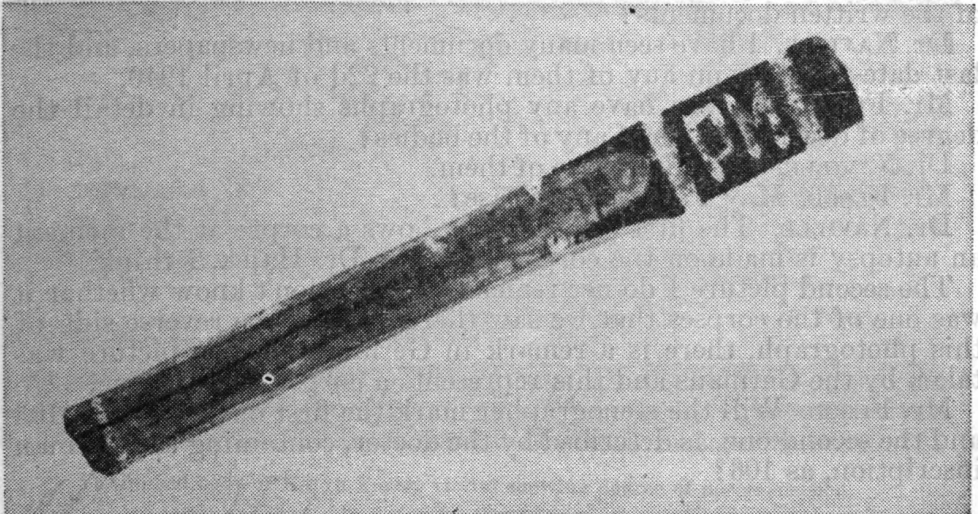
Mr. FLOOD. I now show the doctor that exhibit and ask him whether or not that envelope contains the papers and the photograph of the match box top he just handed to us?

Dr. NAVILLE. That is correct.

Mr. FLOOD. I now ask the stenographer to mark for identification this envelope as exhibit 103 containing an obviously handmade wooden cigarette holder, and still visible thereon the marking of Kozielsk that the doctor described, as having been taken from one of the bodies at the graves at Katyn.

(The above described envelope was marked "Frankfurt Exhibit 103," and is now in committee files; photograph shown below.)

## EXHIBIT 103



Handmade wooden cigarette holder taken from body exhumed at Katyn. Kozielsk marked thereon.



Dr. NAVILLE. Yes, sir.

Mr. FLOOD. I ask the stenographer to mark for identification as exhibit 104 a photograph.

(The described photograph was marked "Frankfurt Exhibit 104," and follows:)

EXHIBIT 104



Dr. Naville removing documents and box of matches from Katyn corpse.

Mr. FLOOD. I show you exhibit 104 and ask you to describe who is the person on that photograph and what he is doing.

Dr. NAVILLE. That is myself, searching the body of this corpse which had not been searched before, and finding a box of matches.

Mr. FLOOD. From the examination or observation of any or all of the documents that you saw on the body or in the exhibits at the Katyn area, did you notice what was the latest date appearing on any of the written documents?

Dr. NAVILLE. I have seen many documents and newspapers, and the last date that was on any of them was the 22d of April 1940.

Mr. FLOOD. Do you have any photographs showing in detail the degree of decomposition of any of the bodies?

Dr. NAVILLE. Yes, I have two of them.

Mr. FLOOD. May I see those, please?

Dr. NAVILLE. The first photograph shows a corpse at the moment an autopsy is made on the corpse, made by Dr. Hajek, I think.

The second picture I do not remember and I don't know whether it was one of the corpses that we saw there, but, on the reverse side of this photograph, there is a remark in German that the picture was taken by the Germans and this represents a corpse from Katyn.

Mr. FLOOD. Will the stenographer mark the first one as exhibit 105 and the second one, as described by the doctor, containing the German inscription, as 106?

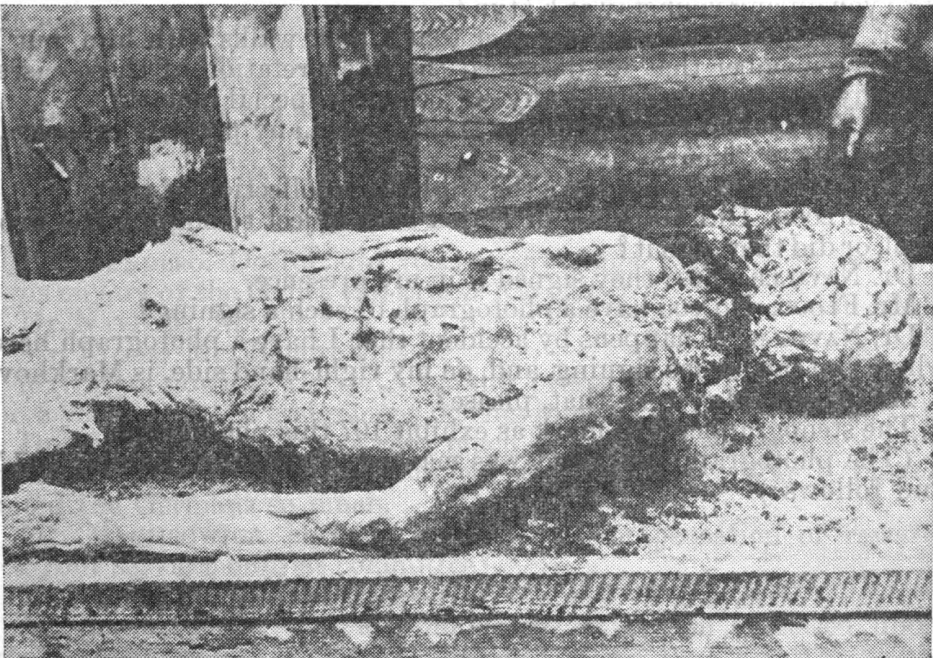
(The photographs referred to were marked "Frankfurt Exhibits 105 and 106," and follow:)

EXHIBIT 105



Dr. Hajek performs an autopsy on a Katyn corpse showing the degree of decomposition.

EXHIBIT 106



Exhumed body of Katyn Forest victim showing degree of decomposition.

Mr. FLOOD. Have you any observations to make with reference to the degree of decomposition of the bodies at Katyn?

Dr. NAVILLE. Naturally, I have seen hundreds of them—those which were already covered with body wax or body fat.

Mr. FLOOD. What was the degree of decomposition with reference to the body tissue?

Dr. NAVILLE. At some spots the tissue was already removed. In some spots there was already a process of calcification, but in some spots you could see a crust on it.

Mr. FLOOD. Do you recall any statements made by the Scientist Orsos with reference to a scientific process having to do with the calcification of the brain pulp in the skull?

Dr. NAVILLE. Yes, that referred to corpse No. 526.

Mr. FLOOD. Will you tell us in brief what the premise of that theory was?

Dr. NAVILLE. That was a process of calcification in the inside of the back part of the skull. I have here a publication by Professor Orsos concerning this subject that he had observed this process of calcification on a corpse lying in the ground more than 3 years.

Mr. FLOOD. Wasn't the importance of the theory of Dr. Orsos important for the purpose of establishing the time of death?

Dr. NAVILLE. Yes, naturally; but I don't know what is the value of a theory which only can be seen once in a thousand cases.

Mr. FLOOD. Do you remember one of your colleagues, the Bulgarian, Markhov?

Dr. NAVILLE. Yes.

Mr. FLOOD. And the Czech, Hajek?

Dr. NAVILLE. Yes, not as well as I remember the first one.

Mr. FLOOD. Did the Bulgarian, Markhov, have any conversation with you during your stay at Katyn?

Dr. NAVILLE. Yes. I remember that I took walks with him, but I do not remember that we discussed the interpretation of these cases. But anyway, he didn't make any objections or special remarks.

Mr. FLOOD. Did the Czech, Dr. Hajek, make any protests or special complaints or remarks?

Dr. NAVILLE. I do not have the slightest recollection of that.

Mr. FLOOD. Did Markhov or Hajek both object to signing the protocol, or did they sign it?

Dr. NAVILLE. Yes; they signed it in my presence.

Mr. FLOOD. Do you have a photograph of such a signing?

Dr. NAVILLE. It happens by accident that I have a photograph here where you can see me signing, and, on my right-hand side, is Markhov.

Mr. FLOOD. May I see that, please?

The stenographer will mark as exhibit 107 this photograph.

(The photograph described was marked "Frankfurt Exhibit 107," and follows:)



## EXHIBIT 107



International Medical Commission signing protocol.

Mr. FLOOD. I show you a photograph marked for identification as exhibit 107 and ask you if that is the photograph you just described?

Dr. NAVILLE. That's right.

Mr. FLOOD. I now show the doctor a copy of the protocol we are discussing, that was handed to the committee by the distinguished Danish scientist Tramsen, and ask you whether or not you can recognize your signature on page 7 of that document?

Dr. NAVILLE. Yes.

Mr. FLOOD. Do you subscribe to your signature and to that protocol today?

Dr. NAVILLE. Yes.

Mr. FLOOD. That's all.

Mr. Dondero.

Mr. DONDERO. Doctor, did you see any rings, watches, or fountain pens on any of the bodies you saw at Katyn?

Dr. NAVILLE. No.

Mr. FLOOD. Mr. Machrowicz.

Mr. MACHROWICZ. Doctor, was any pressure exerted upon you to have you accept the assignment on this international commission?

Dr. NAVILLE. No. I was very much surprised, because it is a very well-known fact among the public that since World War I, I have hated the Germans so much.

Mr. MACHROWICZ. Did you receive any compensation or reward for your services on that committee?

Dr. NAVILLE. None whatsoever.

Mr. MACHROWICZ. Has any undue pressure been exercised upon you to testify before this committee?

Dr. NAVILLE. No.

Mr. MACHROWICZ. Have you been offered any reward or remuneration for your services in testifying before this committee?

Dr. NAVILLE. No.

Mr. MACHROWICZ. Is your testimony before this committee free and voluntary?

Dr. NAVILLE. That's right.

Mr. MACHROWICZ. Have you ever been approached by anyone with regard to changing your testimony which you gave at the time you signed the protocol in April 1943?

Dr. NAVILLE. No.

Mr. MACHROWICZ. That's all.

Dr. NAVILLE. I remember that the German consulate asked me whether I wished to make a broadcast of my observations in Katyn, and I refused. I am a scientist, a doctor, a physician. I am not making any propaganda.

Mr. MACHROWICZ. That's all.

Mr. FLOOD. Doctor, the committee is very grateful that you would take the time from your professional work to come here today. We know that you were forced to rearrange your university schedule to accommodate the committee, but we felt it necessary that you appear, if you would be so kind, because of the importance of your distinguished career, in addition to the fact that, at the time you were a member of the committee, you were a Swiss citizen and still are, so that we are especially pleased that you helped us by giving your testimony today, and we thank you very much.

Chairman MADDEN. I might say that this will bring to a close the hearings in Europe conducted by the Special Congressional Committee Investigating the Katyn massacre.

The committee has conducted hearings in Washington and Chicago previous to coming to London and Frankfurt.

The members of the committee who attended the daily meetings in Frankfurt were Congressman Flood of Pennsylvania, Congressman Machrowicz of Michigan, Congressman Dondero of Michigan, and Congressman O'Konski from Wisconsin. Congressman Furcolo of Massachusetts and Congressman Sheehan of Illinois were unable to accompany the committee to Europe on account of personal and family reasons.

On behalf of the committee, I wish to thank the press, radio services, and other news agencies who have cooperated so well with the committee in complying with the rules of the House of Representatives regarding hearings.

In setting up the hearings in London and Frankfurt, it required a great deal of preliminary work and effort. Congressman Flood and Counsel John J. Mitchell came to Germany almost a month ago in order to prepare preliminary work that was essential for carrying on these hearings in Frankfurt, and Congressman O'Konski and Investigator Roman Pucinski went to London at the same time in order to prepare the preliminary work for those hearings. By reason of this preliminary work, it enabled the committee to facilitate its hearings and to complete the London and the Frankfurt hearings in 2 weeks' time.

The committee owes a debt of thanks to the special efforts and help extended to the committee by Mr. Ramsey, Mr. Graham, Mr. Sulkin,

Mr. Parson, Mr. Von Rosbach, Mr. von Hahn, Miss Hieb, Miss Konkel, Miss Pikul, Miss Daniels, Mrs. Leonard, Miss Healy, and others who assisted in the reporting and recording of the testimony of this committee. We also want to especially thank the interpreters: Mr. von Hahn, Mr. Mostni, and Miss Duplitza who did an excellent job indeed in aiding the work of the committee.

I might say there will be a press conference immediately following adjournment of the committee, limited to the press and radio only.

If any of the committee has any words to say, I will be glad to hear from them at this time.

The Frankfurt hearings are now adjourned.

(Whereupon, at 12:35 p. m. Saturday, April 26, 1952, the committee recessed subject to reconvene at call of the Chair.)



# THE KATYN FOREST MASSACRE

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SUNDAY, APRIL 27, 1952

HOUSE OF REPRESENTATIVES,  
SUBCOMMITTEE OF THE SELECT COMMITTEE  
ON THE KATYN FOREST MASSACRE,  
*Naples, Italy.*

On April 27, 1952, a subcommittee of the Select Committee on the Katyn Forest Massacre traveled to Naples, Italy, and took the testimony of Dr. Vincenzo Mario Palmieri.

This hearing was held in Naples, Italy, on April 27, 1952, by a subcommittee of the special congressional committee authorized by Congress for the investigation of the Katyn massacre. The members of the subcommittee are Congressmen Ray Madden (chairman), George Dondero, and Thaddeus Machrowicz. Members Madden and Machrowicz were present at this hearing. Also present was Roman Pucinski, the committee's investigator.

The interpreter at the hearing was William Gargiulo, American consulate general, Naples, Italy, special assistant to the consul general. At this point in the hearing he was sworn by Chairman Madden.

Also present was Dr. Prof. Vincenzo Mario Palmieri, Via Salvator Rosa No. 287, Naples, Italy. Dr. Palmieri was sworn by Chairman Madden.

## TESTIMONY OF DR. VINCENZO MARIO PALMIERI

Chairman MADDEN. Doctor, very briefly for the record, please state how long you have been practicing medicine.

Dr. PALMIERI. Since 1922.

Chairman MADDEN. What universities did you attend?

Dr. PALMIERI. The University of Naples.

Chairman MADDEN. Do you specialize or carry on a general practice of medicine?

Dr. PALMIERI. I specialize in forensic medicine and criminology.

Chairman MADDEN. In the year 1943 were you invited to join a medical commission to make a medical investigation and examination of the bodies that were found in a large grave in the Katyn Forest near Smolensk in Soviet Russia?

Dr. PALMIERI. Yes.

Chairman MADDEN. From whom did you receive the invitation?

Dr. PALMIERI. From the Italian Ministry of Foreign Affairs.

Chairman MADDEN. What was the name of the man issuing this invitation?

Dr. PALMIERI. The invitation came from the Ministry on April 23, telling me to leave on the following day for Rome and go to the Ministry of Foreign Affairs, and when I arrived at the Ministry I was informed further what it was all about.

Chairman MADDEN. But what was the name?

Dr. PALMIERI. A functionary told me that this man was D'Astis, who was Director General within the Ministry.

Chairman MADDEN. Where did you go from there?

Dr. PALMIERI. From the Ministry of Foreign Affairs we went to the German Embassy to get the visas and other documents. When we left the German Embassy, we were told to leave the day after for Berlin by air.

Chairman MADDEN. Whom did you meet?

Dr. PALMIERI. The entire commission was at the Hotel Adlon.

Chairman MADDEN. Whom did you meet?

Dr. PALMIERI. Dr. Naville, Dr. Orsos, Dr. Tramsen, Dr. Costendat, Dr. Markhov, Dr. Speelers, Dr. Hajek, Dr. Saxen, Dr. De Bulet. [Dr. Palmieri had forgotten some of these names but easily recalled them with the help of the subcommittee.] I knew some of these persons and met the others there.

Chairman MADDEN. Then what did you do?

Dr. PALMIERI. There was a second meeting at the hotel in the evening when we met Professor Buhtz a medical specialist, who was killed by the Germans in the last revolt, but at that time was present. He was a liaison officer.

Chairman MADDEN. From there did you go to Katyn?

Dr. PALMIERI. Yes, by air, accompanied by all of the members of the commission and Buhtz.

Mr. MACHROWICZ. Do you know why you were selected?

Dr. PALMIERI. No.

Mr. MACHROWICZ. You are unquestionably a specialist in this field of medicine?

Dr. PALMIERI. There is proof of this matter at the University of Naples.

Mr. MACHROWICZ. Did anyone use any duress or coercion to have you on this commission?

Dr. PALMIERI. No.

Mr. MACHROWICZ. Was this a voluntary act?

Dr. PALMIERI. Yes, I might have said no.

Mr. MACHROWICZ. When you arrived in Berlin did anyone use any pressure on you?

Dr. PALMIERI. No.

Mr. MACHROWICZ. After you arrived in Smolensk in Katyn did anyone use any duress on you?

Dr. PALMIERI. Practically, we did not have any contact with the Germans, only technically.

Mr. MACHROWICZ. Were you given the authority to go forward in the inspection of the graves?

Dr. PALMIERI. They showed us the bodies in the graves. Each one of the committee had as assistants two men and a stenographer.

Mr. MACHROWICZ. Would you tell us exactly what you saw and what you did at Katyn?

Dr. PALMIERI. That is a long story.



Mr. MACHROWICZ. Only the important details to determine the time of the alleged killings.

Dr. PALMIERI. When a certain time has passed from the time of death, the possibility of determining the time of death becomes always more difficult. Therefore one must study the corpse. Generally, two conclusions may be reached by the magistrate on the time of death and can be determined in two ways: Firstly, when did the person die; secondly, between the two dates which we are giving you which is the most probable. The first question is far more difficult to answer if it is a question of establishing dates which are very near to each other when much time has passed. It is much easier to reach a conclusion on the second question, and this is what was done. Two dates are possible—April 1940 or October 1941. Between the two dates there are 18 months, this allows precise orientation. The answer to the question (1940–41) was influenced by two circumstances: (1) The state of the corpses, and (2) the plant life which had been planted over the bodies. In the bodies, or at least in many of the bodies, Professor Orsos observed the presence of growths (corns)—in the inside of the cranium pseudo-growths in the internal part of the skull which are due to manifestations of reduction of the mineralization of the brain—of the cerebral tissues and of the other substances contained in the skull. In a special publication of Professor Orsos in 1934 he had called attention to the fact that these cerebral growths are noticeable on bodies which have been dead for at least 2 years. Orsos had been a prisoner of the Russians during the First World War and had been in Siberia and there had made these special studies which he published in 1934. Secondly, the question of the plants concerns the age of these plants. It is a fact that one notes when a tree is cut that each year a circle is noted for its age. There was this coincidence and led to the conclusion from a technical point of view, and there were others which are not technical arguments, for instance, material found in the pockets—letters, newspapers, diaries—none of these had a date later than April 1940. This was not a medical question.

Mr. MACHROWICZ. From your own experiences and experiments at Katyn did you come to any conclusion as to the time of death of the persons found in these graves?

Dr. PALMIERI. I can say no more than when a person is buried between 18 and 30 months to establish the exact time of burial is difficult.

Mr. MACHROWICZ. What conclusion did you arrive at?

Dr. PALMIERI. I came to a conclusion especially similar to Orsos' theory on the formation of cerebral growth.

Mr. MACHROWICZ. Was Dr. Orsos' conclusion that the deaths occurred not later than April or May 1940?

Dr. PALMIERI. Yes.

Mr. MACHROWICZ. Did you agree?

Dr. PALMIERI. Yes, based on the researches that Dr. Orsos had made.

Mr. MACHROWICZ. Did you sign a report on the results of the investigation?

Dr. PALMIERI. Yes.

Mr. MACHROWICZ. Before you signed, did you read and note the contents?

Dr. PALMIERI. Yes; we worked until 3 in the morning to find a formula in which everyone could sign.

Mr. MACHROWICZ. Then you agreed to that formula?

Dr. PALMIERI. Yes.

Mr. MACHROWICZ. Then your agreement was voluntary, not forced?

Dr. PALMIERI. No; voluntary.

Mr. MACHROWICZ. You met Dr. Markhov there; did you not?

Dr. PALMIERI. I met him there. I did not know him before.

Mr. MACHROWICZ. Did you have any conversation with him?

Dr. PALMIERI. Yes.

Mr. MACHROWICZ. In the course of the conversation you had with Dr. Markhov did he ever tell you that he was compelled or forced to take part on the committee?

Dr. PALMIERI. We spoke of other matters.

Mr. MACHROWICZ. Did he tell you whether or not he agreed with the conclusions of the report?

Dr. PALMIERI. No; we did not speak of that.

Mr. MACHROWICZ. Did you meet Dr. Frantisek Hajek there also?

Dr. PALMIERI. I knew him [Hajek] before. He was an assistant at the Medical-legal Institute in Prague.

Mr. MACHROWICZ. How long before had you known Hajek?

Dr. PALMIERI. Several years.

Mr. MACHROWICZ. Did Dr. Hajek ever tell you that he was forced to become a member of the committee or to sign the report?

Dr. PALMIERI. No.

Mr. MACHROWICZ. Did he indicate to you that his action at the Katyn Forest was free and voluntary?

Dr. PALMIERI. No. Only one person did not sign the results voluntarily—Professor Costedort—because he was not authorized by the French Government. He was free not to sign but to be solely an observer.

Chairman MADDEN. All other members signed willingly?

Dr. PALMIERI. As far as I know and believe the only one was Costedort—not because he did not agree but because he was not authorized.

Mr. MACHROWICZ. Since signing the report have you changed your opinion as to the results.

Dr. PALMIERI. No. Also I have been obliged to make examinations of other corpses, and I have noted the same things found at Katyn; that is the growths.

Mr. MACHROWICZ. Are these pseudo-growths calcium deposits?

Dr. PALMIERI. Yes.

Mr. MACHROWICZ. Has anyone used force or duress to make you appear before this committee today?

Dr. PALMIERI. No; I would also like to add that I am sorry that I could not come to Frankfurt as I was so busy.

Mr. MACHROWICZ. Has this been a free and voluntary statement?

Dr. PALMIERI. Yes.

Mr. MACHROWICZ. Did your conclusion as to the time of death of those found in the Katyn graves rest also on the age of the trees upon the graves and upon the dates of the documents. In other words, was your decision based on all three factors?

Dr. PALMIERI. Yes.

Mr. MACHROWICZ. Did you have the opportunity to select any documents from the grave?

Dr. PALMIERI. Yes.

Mr. MACHROWICZ. Where did you find the documents?

Dr. PALMIERI. The bodies were pulled out from the ground and the documents were in the pockets. We went down in the graves and pointed out which one we wanted to pull out since the heads were out—the grave was only 3 meters deep. Looked like a wine cellar with the necks of the bottles showing.

Mr. MACHROWICZ. Was it possible for someone to have put documents into the pockets after burial?

Dr. PALMIERI. No; because the bodies were so near to each other that it would have been impossible to get between. They were packed in like anchovies in a barrel.

Mr. MACHROWICZ. Did you personally take documents from the bodies?

Dr. PALMIERI. Yes. It was the first thing we examined after looking at the exterior of the bodies.

Mr. MACHROWICZ. Did you find any documents dated after April 1940?

Dr. PALMIERI. No. First we examined the documents, then the clothing, and then followed with the autopsy.

Mr. MACHROWICZ. Is it your conclusion today that the persons were killed in April 1940?

Dr. PALMIERI. It is the same as then; I have not changed.

Mr. MACHROWICZ. That is April 1940?

Dr. PALMIERI. Yes; based on the three points.

The CHAIRMAN. Doctor, we are very grateful and wish to thank you for coming here today to testify.

Dr. PALMIERI. I would also like to add that I was never a Fascist and that in a certain way I was persecuted for not being a Fascist because in 1933 they withdrew my card as a Fascist. I just had it for 1 year because as a theoretical man I could not agree with the Fascist doctrine.

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# THE KATYN FOREST MASSACRE

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## HEARINGS

BEFORE THE

### SELECT COMMITTEE TO CONDUCT AN INVESTIGATION OF THE FACTS, EVIDENCE, AND CIRCUMSTANCES OF THE KATYN FOREST MASSACRE

EIGHTY-SECOND CONGRESS

SECOND SESSION

ON

INVESTIGATION OF THE MURDER OF THOUSANDS OF  
POLISH OFFICERS IN THE KATYN FOREST  
NEAR SMOLENSK, RUSSIA

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### PART 6

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(EXHIBITS 32 AND 33 PRESENTED TO THE COMMITTEE  
IN LONDON BY THE POLISH GOVERNMENT  
IN EXILE)

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Printed for the use of the Select Committee To Conduct an Investigation  
of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre



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**SELECT COMMITTEE TO CONDUCT AN INVESTIGATION OF THE  
FACTS, EVIDENCE, AND CIRCUMSTANCES OF THE KATYN  
FOREST MASSACRE**

**RAY J. MADDEN, Indiana, *Chairman***

**DANIEL J. FLOOD, Pennsylvania**

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**ROMAN C. PUCINSKI, *Chief Investigator***



## THE KATYN FOREST MASSACRE

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(COMMITTEE'S NOTE.—Material contained in this part of the Katyn Forest Massacre Committee's record of hearings consists of facts and documents compiled by the Polish Government in Exile in London as its "white paper" on the Katyn massacre. This material was introduced as exhibits 32 and 33 during this committee's hearings held in London. Because of the volume of material contained in the two exhibits, they are being published under separate cover. The first part of exhibit 32 consists of a condensed version of the main Polish report likewise referred to as exhibit 32. Exhibit 33 consists of supplemental material compiled by the Polish Government in Exile in London since the main report was written.)

### EXHIBIT 32

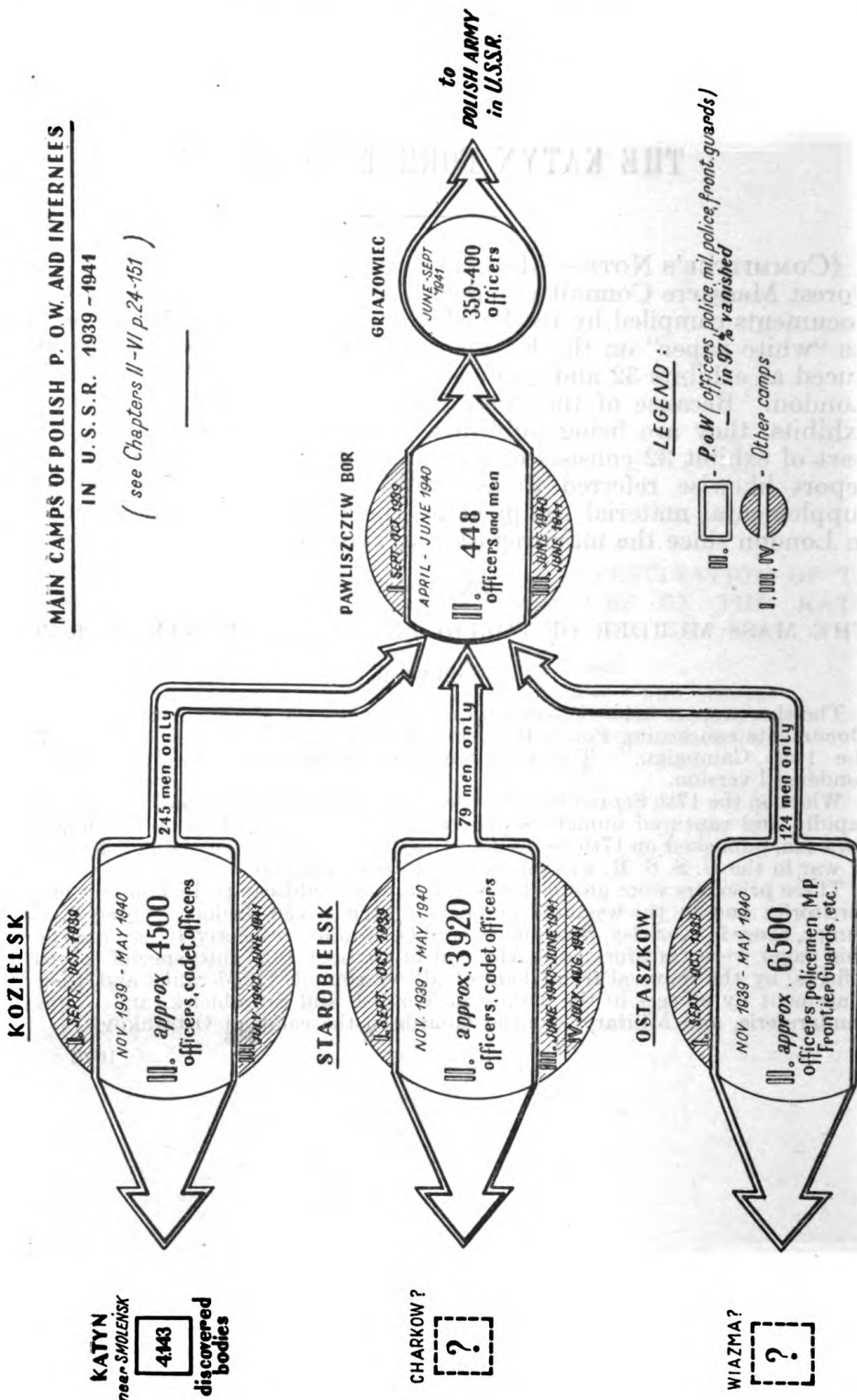
#### THE MASS MURDER OF POLISH PRISONERS OF WAR IN KATYN

##### FOREWORD

The short report below is based on a comprehensive study entitled "Facts and Documents concerning Polish Prisoners of War captured by the U. S. S. R. in the 1939 Campaign." The comprehensive report immediately follows this condensed version.

When on the 17th September 1939 Soviet troops entered Poland, they advanced rapidly and captured numerous prisoners of war. According to the *Krasnaya Zvezda*, published on 17th September 1940, the total figure of the Polish prisoners of war in the U. S. S. R. was estimated at about 250,000.

These prisoners were grouped in some hundred odd camps in Poland's eastern territories and in the western provinces of the Soviet Union. Three of these camps, those in Kozielsk, Starobielsk, and Ostashkov, respectively (see map facing this page) were transformed at the end of October 1939 into special camps for officers, by the removal from them of all noncommissioned ranks and their replacement by officers in the camps at Kozielsk and Starobielsk, and by police, gendarmerie, and Military Frontier Guards in the camp at Ostashkov.





The population of these camps amounted approximately to—

Kozielsk.....	4, 500
Starobielsk.....	4, 000
Ostashkov.....	6, 500
Total approxi.....	15, 000

These camps survived in the form mentioned above until April 1940, when they were liquidated by the deportation during April and the beginning of May of their inmates in an unknown direction.

These camps are marked on the enclosed diagram as Kozielsk II, Starobielsk II, and Ostashkov II in order to differentiate them from camps which were situated in the same places both before and after that time.

Out of each of these three camps small groups, totaling some 448 persons, were transferred to the camp at Pavelishtchev Bor and subsequently to the camp at Griazovetz near Vologda, which, in August 1941, following the conclusion of the Polish-Soviet Treaty of 30th July 1941, was taken over by the Command of the Polish Armed forces in the U. S. S. R.

The remainder of the prisoners of war, i. e., approximately 4,500 persons, were never found. The repeated inquiries made by the Headquarters of the Polish Armed Forces in the U. S. S. R. elicited from Soviet liaison officers in 1941 the reply that many Polish prisoners of war had been sent back to Poland in 1940.

Since, however, after the checking up of this statement by the Polish Underground Organisation in Poland it transpired that none of the prisoners of war deported in April and May 1940 from Kozielsk, Starobielsk, and Ostashkov had returned to Poland, and, moreover, that since the moment of their deportation from these camps not one of them had given any sign of life, although, up to April 1940, they had corresponded with their families, their fate began to give rise to an ever growing anxiety. For a long time Polish authorities concluded that these prisoners had been deported to the heavy labour camps in the Far North and that the Soviet authorities were unwilling to release them, or, possibly, that difficulties due to climatic conditions had retarded their release. Diplomatic intervention, therefore, which aimed at the securing, or possibly, the hastening of their release were initiated. These interventions which were carried on from October 1941 until July 1942 yielded no results. Polish-Soviet conversations on the subjects were interrupted until 13th April 1943, when the German radio broadcast the news of the discovery of graves in Katyn near Smolensk containing the bodies of thousands of murdered Polish officers and accused the Soviet authorities of the crime.

On the 15th April 1943 the Soviet Information Bureau published a communiqué containing a counter-accusation levelled at the German authorities.

On 17th April 1943 there was published the communiqué of the Polish Minister of National Defense announcing that the Polish Government would approach the International Red Cross with a request to investigate the matter.

In reply to this communiqué the Soviet radio and press accused "pro-Hitlerite elements" in the Polish Government in London of collaborating with the Germans and the Soviet Government of 26th April 1943 broke off diplomatic relations with the Polish Government.

Owing to the Soviet Government's refusal to give its consent, the International Red Cross considered that it could not despatch an Investigation Commission, and the Germans, therefore, published their own report on the matter at the end of August 1943, entitled "Amtliches Material zum Massenmord von Katyn." This was supported by the report drawn up by the "European Medical Commission" composed of eminent experts.

In the Autumn of 1943 the German army was driven out of the district of Smolensk and in January 1944 the "Soviet Special Commission" published its report under the title: "Truth about Katyn" which ascribed the Katyn crime to the German authorities; the latter, in the opinion of the Soviet report, had committed it and subsequently staged its "discovery" with a view to accusing the Soviet authorities of it.

After the defeat of Germany the accusation concerning the Katyn crime was included in the indictment against the chief war criminals, and in February 1946 it was repeated in the speech made by Rudenko, the Soviet Prosecutor.

We are, therefore, at the moment, witnessing a case unprecedented in the judicial history of the civilised world, namely, a case of one party, accused of committing a crime, accusing and judging another party of the same crime, without having cleared itself from a similar accusation before an impartial tribunal.

The study of the Katyn mass murder is not a search for entirely unknown criminals. The most objective judge or observer is by no means in the position of a detective who knows nothing and begins by suspecting everyone. Such a mass murder could only be carried out by a great organisation with all the means at its disposal, which, in one way or another got several thousand victims into its power—in one word—a state organisation. For this reason an objective judge, confronted with the Katyn mass murder, is in a dilemma. There are only two possibilities in considering this mystery: either the murder was the work of German authorities, and in that event it is necessary to regard the report of the Soviet Special Commission as fundamentally true, or it was committed by Soviet authorities, and in that case the truth—if only partial—is contained in the German report Amtliches Material.

Let us compare these two documents and the explanations they put forward respecting the Katyn murder, and in doing so present the whole problem under several heads, which we shall introduce with a few short comments.

#### A. INTRODUCTORY COMMENTS

The Katyn murder is a typical example of a case, based on circumstantial evidence, since not one of the victims of the mass murder has escaped, the perpetrator has not confessed to his crime, and, finally, there are no direct witnesses of it.

The only indirect witnesses are those who are quoted in the Soviet report. With regard to them the following reservations should be made:

1. for the most part they are the same witnesses who had made entirely contrary depositions before the Germans and before members of the "European Medical Commission" as well as before the representatives of the press of various European countries.

2. all witnesses called by the Soviet Commission were at the disposal of the Soviet authorities, which, in this affair, were—and still are—both the prosecutor and the accused party; this gives rise, to say the least, to the possibility of influencing the statements of the witnesses, especially as no outsider of any sort took part in the investigation.

For this very reason, as we have no possibility of interrogating the witnesses in conditions which exclude the possibility of pressure, we must rely chiefly on the factual proofs which are at our disposal and on the analysis of the circumstances in which the crime was carried out.

#### B. THE FACT OF MURDER—WHO WAS MURDERED?

##### 1. *Number of Victims*

According to the testimony of the German authorities, which is confirmed by the testimony of the non-German journalists and the statement of the members of the Technical Team of the Polish Red Cross—the number of the victims exhumed in the Katyn graves was not less than 4,143; seventy percent of them were identified in the lists attached to the A. M. The number of the victims was also estimated—in a report by Polish Underground Authorities which was despatched by wireless to London at the end of April 1943 at approximately 4,000. We may, therefore, accept the figure suggested by the A. M., i. e., 4,143 as the lowest number of the victims. This lowest limit has not been queried by either of the parties.

In Chapter XX of the main report it was demonstrated that the seven Katyn graves, discovered by the Germans, could not have contained a larger number of bodies and that after their exhumation these graves were completely empty. This opinion is confirmed by photographs taken by the Germans (see photograph facing this page). The fact that the exhumation of 4,143 bodies had emptied the contents of the 7 graves found in Katyn forced the Germans to publish a communiqué of the 3rd June 1943, announcing the "interruption" of the exhumation work during the summer heat wave; this was done to save their face, as German propaganda had previously claimed that the Katyn graves contained ten, eleven, nay—twelve thousand victims of the "Bolshevik terrorism."

To the figure of 4,143 bodies exhumed from the seven graves should be added the bodies lying in the eighth grave which was the last to be discovered. The dimensions of this grave as given by the A. M. are 5.5 x 2.5 m. The A. M. maintains at the same time that this grave "stretched further," though it does not specify how far. The inconsistency and complete contradiction of both these statements are so obvious that one can assume without any doubt that the last German statement to the effect that the stated dimensions of this grave "stretched further" was simply a means—so to speak—of backing up German propaganda in the same way as the communiqué respecting the "interruption" of the exhumations.

In that event, however, i. e., assuming the dimensions of this grave to be as submitted by the A. M. and applying the average figures on the basis of which the contents of the first seven graves were calculated, we may estimate the probable number of bodies contained in the eighth grave. This figure amounts to approximately 110 bodies. By adding this figure to the 4,143 total of the other seven graves, we obtain the probable total of the victims buried in the eight Katyn graves—i. e., 4,253.

##### 2. *Who were the murdered victims?*

On the basis of diaries, correspondence, and small personal possessions such as wooden cigarette cases and holders with the inscription "Kozielsk 1940" there is no doubt that the bodies of the men in the Katyn graves are those of officers, prisoners of war, who had previously been detained in the camp at Kozielsk and who were deported thence between 1st April and 11th May 1940.

Of 4,143 bodies exhumed, 2,914 were identified. As it happens about 80% of these names are found in the list of the "missing" officers, comprising 3,845 names, which was handed by General Sikorski to Stalin on 3rd December 1941, or in the later additional lists, drawn up by the Headquarters of the Polish Armed Forces in the U. S. S. R. during 1941 and 1942.

From the number of 2,914 identified names, 2,821 in the above-mentioned list are annotated "Kozielsk"—the remainder, i. e., 93 names are annotated either "Starobielsk" (84 names) or "Ostashkov" (9 names). This is explained by the fact that—

1. the lists of the "missing" prisoners of war were drawn up from memory, hence mistakes were likely to arise as to the presumed placing of a prisoner in one of the three camps;

2. it is known that early in the spring 1940 there had been cases of the transfer of individuals or of small groups of prisoners from one camp to another.

The fact, therefore, that a name on the lists of the "missing" officers may be annotated "Starobielsk" or "Ostashkov" does not, in the first place, preclude a mistake, or in the second place, the possibility that the particular officer who had at first been detained in Starobielsk, had subsequently, early in 1940, been transferred to the camp at Kozielsk, eventually to meet the same fate.

As stated above, the camp at Kozielsk numbered at the beginning of 1940, approximately 4,500 prisoners of war. From the initial number of about 5,000, several hundred other ranks and cadet officers must be deducted, most of whom were released. From the figure of 4,500, 245 persons were deported to Pavlishtchev Bor and subsequently to Griazovetz and approximately 4,250 were deported by convoys which discharged their load at Gnezdovo. This last figure agrees almost exactly with the probable total of bodies found in the eight Katyn graves.

Thus, both by comparing the name lists of the bodies identified in Katyn and the total number of bodies of the murdered with the total of the "missing" inmates of the Kozielsk camp—we arrive at the conclusion that the murdered buried in the Katyn graves are completely identical with the "missing" prisoners of war from Kozielsk.

Attention should here be drawn to one more significant individual case. In the Kozielsk camp there had at first been six women. When this camp was transformed, in November 1939, into an officers' camp, only one woman, a flight lieutenant, was left. It is significant that while the group of journalists visiting Katyn in April 1943 were informed that the body of one woman had been found in addition to the officers' bodies in the excavated graves, the A. M. makes no mention of it. Evidently the Germans, who knew nothing about the sojourn in the Kozielsk camp of the one woman, kept this fact silent in their report, thinking that the finding of a woman's body would tend to invalidate their case that in Katyn were buried the murdered inmates of the officers' camps. From our point of view, however, this fact only strengthens the thesis that it was the Kozielsk officers' camp that was liquidated in Katyn.

Finally, one more circumstance should be mentioned here, even though it is negative in character. On the bodies in Katyn were found many personal articles of sentimental value, such as wooden cigarette cases with an inscription "Kozielsk 1940," a number of diaries and newspapers which are all dated from Kozielsk. It is known that the prisoners of war in Starobielsk and Ostashkov also passed their time making personal keepsakes and that there too, many of them kept diaries and newspapers. If, however, prisoners from Starobielsk and Ostashkov had been buried in the Katyn graves it is impossible, in view of the fact that the number of victims involved is a matter of several thousand, that there should not have been found in Katyn at least a few of these sentimental keepsakes dated from Starobielsk or Ostashkov.

As soon as we have established this thesis, however, the question arises as to the fate of the prisoners from the Starobielsk and Ostashkov camps. They have not been found in Katyn, and yet not one of them has returned or given a sign of life. Even if it were assumed that the Germans, who are alleged to have staged a massacre there, are responsible for the death of 4,250 prisoners of war buried in Katyn, the question arises as to who is responsible for the disappearance of the 3,900 prisoners of war from Starobielsk and the 6,500 from Ostashkov.

The history of these three camps shows an amazing similarity: they were formed at the same time, the same regime was introduced in them, their liquidation was started and completed exactly at the same time, in April and May 1940. Again, all three camps were liquidated in the same manner. In all three camps the prisoners were given the same explanation for the liquidation of the camps, the convoys in each were formed in the same manner and were of the same size, they were deported in the same way in prison trucks, and they were again detained at certain stations, following which all trace of them is suddenly lost. The prisoners from Kozielsk were detained at the station of Gnezdovo and were loaded onto lorries; the prisoners from Starobielsk were detained at the station of Kharkov



and loaded onto lorries, and the prisoners from Ostashkov were brought by train to the station of Viazma, after which all trace of them is lost.

If the prisoners from Kozielsk have been found in the Katyn wood, several kilometres distant from the Gnezdovo station, and if—as we have shown—there are no bodies of prisoners from Starobielsk and Ostashkov in the Katyn graves, then, bearing in mind the analogies emphasized above, every thoughtful person must needs ask the inevitable question whether perhaps the analogies do not go even further. Whether just as the bodies of the Kozielsk prisoners were found not far from the Gnezdovo station, the bodies of the prisoners from Starobielsk should not be looked for in the vicinity of Kharkov, and those from Ostashkov in the vicinity of Viazma?

The Katyn murderers could not execute on the spot those who were not there. So that even if we accept the Soviet thesis and if we hold the Germans responsible for the Katyn victims, the number of these bodies is far too small to allow us to regard the problem of all the prisoners “missing” from the three large camps as fully solved.

In spite of the Katyn discovery, prisoners from Starobielsk (under 3,900 persons) and from Ostashkov (approx. 6,500 persons) are still missing. The Soviet authorities have neither returned these people nor supplied any information about them, nor have they produced their bodies when they exhumed the Katyn graves in January 1944.

#### C. METHOD OF MURDER

##### 1. *Manner of execution*

Without exception all the victims whose bodies were found in the Katyn graves were shot in the back of the head. It is generally known that this is the typical method of carrying out the death penalty universally, almost “officially” accepted in the Soviet Union. Moreover, as far as the Katyn wood is concerned the bodies of Russian civilians, murdered during the Russian revolution of 1917 and contained in graves discovered not far from the graves of the Polish prisoners of war, all bear witness to the same method of execution.

As far as the Germans are concerned, it is known that in their mass murders which killed millions of victims, they never used this method of execution, employing rather gas chambers, or lethal injections or machine-gun shootings.

##### \*2. *Tying up the victims*

About five percent of the bodies in the Katyn graves had their hands tied behind their backs with a rope, some had their heads wrapped up in their overcoats. These were evidently victims who probably shouted or resisted at the moment of execution. The method of the tying up was described by the German report as “technically perfect”. An identical method of tying up was discovered on the bodies of Russian civilians found in the nearby graves. The executioners used a strong uncoloured rope for the purpose, which had been evidently prepared beforehand as it was cut in identical lengths.

Polish Underground Authorities in Poland appropriated several such cords which had been secretly taken away from Katyn, together with a few diaries found on the bodies of the victims. These cords were examined in detail and experts stated with complete certainty that they were of Russian make. Persons who are in a position to make formal statements in the matter are at present in Great Britain.

##### 3. *Ammunition*

The German report states that for the execution ammunition of German origin, from the Gustav Genschow and Co. firm Burlach bei Karlsruhe (trade-mark GECO) was used. In grave No. 2 one unused bullet of this make was found and, on examination, it was established that this ammunition was dated 1922–1931. It is well known that ammunition of this make was exported in large quantities to Poland, the Baltic States, and to Russia. The Soviet report does not use this point as evidence against the Germans.

##### 4. *Other wounds on the bodies of the murdered*

In addition to pistol shots in the back of the head, which without any exception were the cause of the death of all the victims, medical examination and dissection showed that a few bodies had the jaws smashed by blows or had received bayonet wounds. Most of these, evidently, were victims who put up a fight or shouted during the execution. A close examination of the flesh wounds showed that they had been inflicted by the four-edged bayonets, such as are used by the Soviet Army exclusively; all other armies use bayonets shaped like flat knives.

An attempt might be made to explain both the shots in the back of the head and the use of a cord of Russian make as well as of the Russian bayonet by accepting the Russian thesis of a German "provocation." But in that case we come up against further difficulties:

a. according to the Soviet report, the Germans were held to have murdered prisoners of war in Katyn in August and September 1941, while the idea of representing it in a provocative manner as a massacre by the Russians is supposed to have arisen as late as 1942. In this case it is incomprehensible that the details of the provocation should have been prepared a whole year before the idea of it was evolved at all.

b. If the Germans used the Russian bayonet, the Russian cord, and the Russian method of execution in order to accuse the Russians of the massacre, why did they not use Russian ammunition, of which they had plenty? None of these difficulties or contradictions arise, if we assume that the murder was carried out by the Soviet authorities.

##### 5. *The organisation of the Katyn murder*

When making an analysis of the Katyn murder it is impossible to limit oneself to an analysis of the method of execution of single victims. There must have been a plan and an organisation established in order to carry out the massacre of more than four thousand prisoners of war.

Let us compare how this fact is presented in the German and the Soviet reports.

Both reports agree in stating that in April and May 1940 convoys with Polish prisoners of war arrived at the Gnezdovo station; the agreement between the two reports, however, ends here.

According to the German report, officers were taken by lorries from the Gnezdovo station to the Katyn wood. According to the deposition of a witness in the possession of Polish authorities, officers were taken by one prison bus, which carried about 30 prisoners at a time, and after half an hour came back for the next consignment.

This statement fits in quite well as far as time is concerned, if we consider that the distance from the Gnezdovo station was about two miles. After arriving in the wood, the group was murdered at once, while the bus went back to fetch the next lot of victims. Such a system prevented any possibility of resistance and rendered the most desperate, spontaneous resistance hopeless, because the number of the people at the place of execution never exceeded about 30 persons. This method at the same time forced the executioners to make considerable haste: they had to murder one group and lay the bodies in the grave during the short interval before the arrival of the next group.

According to the Soviet report, the prisoners, after being loaded onto lorries at the Gnezdovo station, were taken to three special camps. Here at once we come up against a difficulty. These camps are supposed to have been situated west of Smolensk at a distance of some 25-40 kilometres. The station of Gnezdovo lies 13 kilometres west of Smolensk. The route taken by the car was from 12-32 km., i. e., the round trip amounted to 24-64 km., i. e., a distance which the prison lorry could not cover in half an hour in order to fetch the next group. Moreover, railway stations along the line on which Gnezdovo lies are spaced at fairly frequent intervals and it is incomprehensible why prisoners of war should have been detrained at the Gnezdovo station in order to be conveyed 12-32 km. by car, when they could have been detrained two or three stations further up the line and there transferred onto lorries, thus considerably shortening the car route.

Let us, however, drop this point and consider another more striking fact.

After the transfer of the Polish prisoners of war to three special camps, Nos. 1 ON, No. 2 ON, and No. 3 ON—as they are referred to in the Soviet report—the Polish officers were alleged to have stayed in them, working on road constructions, until August and September 1941, i. e., for about 16 months. In this case it appears completely incomprehensible why officers who travelled together in convoys should be lying next to one another in the Katyn graves.<sup>1</sup>

It is quite unthinkable that men who purely by accident happened to travel by the same waggons in April 1940 should subsequently have remained together for sixteen months in spite of the fact that they had been divided into three camps and in these camps into small groups of 15-20 men, working—according

<sup>1</sup> Both from the statement of those prisoners who were transferred from Kozielsk to Gniazovetz and from diaries found in Katyn, the names were known of a number of officers who were deported together in the various convoys. These officers figure in the lists of the identified bodies appended to the A. M. as lying in the graves under consecutive or very close file numbers—a fact which goes to prove that their bodies were placed very close together in the Katyn graves.

to the statements of Russian witnesses—on road constructions. Is it possible that these groups, thrown together in 1940, should have lasted for sixteen months and survived the chaos which must have reigned in the camps at the time when the Germans captured them? In the face of this difficulty the Soviet thesis cannot be accepted by any logical mind. But this problem, too, is immediately solved if we accept the belief that the murder was committed by the Soviet authorities.

#### D. TIME OF MURDER

We stated at the beginning of this report that in studying the Katyn murder we are faced not by many but only by two possible solutions.

The same may be said with regard to the question of the time when the murder was committed. The massacre can only have been carried out on two dates, i. e., either in April–May 1940, as suggested by the German report, and in that case the crime was carried out by the Soviet authorities, or in August–September 1941, as suggested by the Soviet report, and in that case it could have been carried out only by the German authorities.

Let us consider which of these two dates will bear the light of the available evidence—evidence which can be divided into positive and negative.

##### 1. Positive evidence

a. The so-called "European Medical Commission" invited at the end of April 1943 by the German authorities established that the bodies in the Katyn graves had been buried for at least three years. This opinion was expressed in the report of Dr. Buhtz, professor of criminology in Breslau University, who directed the exhumations in Katyn on behalf of the German authorities. Obviously the German authorities cannot be regarded as disinterested or impartial, and both the statements made by Buhtz and those of the "European Medical Commission," organised and selected by the Germans, must be approached in a spirit of scepticism. On the other hand, however, it is impossible to pass over both these statements in silence. The composition of the "European Medical Commission" and its members and possibly Professor Buhtz, who is best acquainted with the matter, may be summoned again without any difficulty and again interrogated. Moreover, it should be borne in mind that the opinion of the legal-medical experts is not the only evidence in support of 1940 as the date of the murder. Finally, it should be emphasized that these experts themselves fully realized that it is impossible to accurately establish the age of a corpse and consequently the date of the murder, and they, therefore, also took into consideration other data.

b. The "European Medical Commission" quotes in its protocol the opinion of an expert, forester v. Herff, who examined the spruce firs which were planted on the graves. Microscopic examination has proved beyond all doubt that they were five years old, transplanted on to the graves three years previously, i. e., in the spring of 1940. It should be mentioned that the graves containing the bodies of Russian civilians executed during the Russian Revolution of 1917 had been planted in an identical fashion and the age of the trees corresponds approximately to the date of burial.

c. Further proof was supplied by Grave No. 5. This grave lay lower than the others and nearest to the boggy ground so that after it was excavated underground water welled up in it. As it is impossible that this grave could have been excavated in the warm season, when the subcutaneous water is high, it becomes logically conclusive that it was dug in winter or very early spring at the latest, when the water was low as it is in April. It is known from other sources that April 1940 was a cold month and the weather wintry at the time.

d. The opinion that the graves were dug and filled in in a cold season is also borne out by the fact that no insects or any traces of insects were found on the bodies, a fact emphasized in the report by the "European Medical Commission."

e. A detailed description has been given of the eight Katyn graves and their contents in our main report. Here we need only recall that the seven Katyn graves containing 4,143 bodies, were lying close together on one group, while the eighth grave, containing about 110 bodies, lay separately at a distance of 100 metres.

According to the description contained in the German report the bodies in graves Nos. 1–7 were dressed in overcoats, fur coats, sweaters, warm underclothing, and mufflers. This report is also confirmed in White's "Report on the Russians," chapter VII. White says that the foreign correspondents invited by Soviet authorities to Katyn in January 1944, when the second exhumation took place, noticed this important fact and expressed their astonishment that

officers who, in accordance with Soviet statements, were supposed to have been murdered by the Germans in August, should be dressed in winter clothing. The questions of the foreign correspondents created great confusion among the Russians present, who after a short consultation, said that in these parts the weather in August is so variable that people wear winter clothing. This statement is entirely false and quite fantastic in the opinion of those who know the climate of these regions. As shown on the enclosed isotherm map, the average August temperature in the environs of Smolensk is 65 Fahrenheit, i. e., the same as on the southern shores of the Channel where at that time of year the bathing season is at its height.

But the weather is quite different in April. The second isotherm map shows clearly that the average April temperature in the vicinity of Smolensk is 40 degrees Fahrenheit, i. e., it is similar to that of the Faroe Islands. The wearing of winter clothing in that temperature, especially when traveling, is quite natural.

Moreover, both the statements of prisoners of war from Kozielsk, who were deported on 26th April, to Pavlishtchev Bor, and the diaries found on bodies confirm that the weather at that time was wintry and that it was snowing.

There was an interval in the arrival of the convoys from Kozielsk between 29th April and 9th May. It was not till the 10th and 11th May that two convoys, totalling approximately 100 persons, were again despatched. These persons were never seen again and all appearances seem to indicate that their bodies have been buried in the eighth Katyn grave which is separate from the first seven. This theory is supported not only by the fact that the number of officers of both May convoys corresponds to the number of the bodies in the eighth grave, and by the fact that on these bodies newspapers have been found dated from the first days of May 1940, but also by yet another important circumstance.

In describing the eighth grave the German report records that the bodies in this grave were dressed differently from those in the remaining graves. They have neither overcoats nor sweaters nor warm underclothes. The German report which did not possess the necessary information offers no explanation of this fact. Yet the matter is very simple. After the convoys left on the 10th May, approximately 100 officers were left in Kozielsk, of whom 95 were transferred on 12th May to the camp at Pavlishtchev Bor and thence to Griazovetz. The statements of these officers, several of whom are at present in Great Britain, have confirmed that in the first days of May there occurred one of those sudden changes in the weather so characteristic of the continental climate, that it turned warm and that "the sun was beating down."

## 2. Negative Evidence

a. On the Katyn bodies were found large numbers of newspapers and letters written by the prisoners to their families as well as a certain number of letters which they had written but had had no chance to dispatch. None of these documents are dated further back than 11th May, the day on which, as borne out by the foregoing considerations, the extermination of the Katyn victims was completed. Moreover, it should also be borne in mind as pointed out above that while the newspapers and letters found in the seven Katyn graves are dated April 1940, the newspapers found in the eighth grave are dated 1st and 6th May 1940. It is well known that very strong pro-Soviet propaganda was being launched in the three prisoner camps at that time and in this connection not only were the prisoners allowed to purchase newspapers, but they were given facilities to do so. Had the prisoners from Kozielsk after detaining at the Gnezдово station been taken to the three "special" camps near Smolensk, we may rest assured that they would have continued to purchase newspapers there. If, therefore, as maintained by the Soviet report, they had been murdered in August and September 1941, then newspapers, bearing a later date than those found in the Katyn graves, should have been found on their bodies.

b. The same evidence is provided in an even more striking form by the study of the diaries and notes found on the bodies in Katyn. Entries in these diaries, more than a dozen of which were discovered in the Katyn Graves, all suddenly stop in April 1940. *The most characteristic is the diary of Major A. Solski, who describes the detaining on the station, their transfer to "somewhere into a wood, something like a country house," the "special" search and the removal of his watch and roubles. The entries then suddenly break off. Even if we overlook the fact that the last sentence of the diary exactly fits the description of the N. K. V. D. Rest House in Katyn, the question remains why the author who had succeeded in secreting his diary in spite of a "special" search, had made no entry in it after*

9th April 1940. Why did the others make no entries in their diaries, which all break off at the description of the departure from Kozielsk, or the description of the train journey in prison waggons? If they were not murdered by the Germans until August and September 1941, they must have had many interesting facts to jot down, even were it only the advance of the front and the capture of the camps by the Germans.

The lack of any documents bearing a later date may only be explained in one way, i. e., the destruction of such documents by the Germans, this being an element of the German "provocation" as presented by the Soviet report. We shall discuss this view later on. Here we must only state that the diaries found in Katyn give the impression of being intact and show no traces of any erasures or of pages having been torn out.

In summing up it must be stated that both the positive and negative evidence all points to April 1940 as the date of the massacre.

In the light of the arguments set out in paragraphs B, C, and D, we arrive at the conclusion that all evidence points to the Soviet authorities as the perpetrators of the murder and without prejudice to the final decision it must be recognised that the Soviet authorities come under serious suspicion regarding the crime.

#### E. ATTITUDE OF THE SOVIET AUTHORITIES

Let us in turn observe the behaviour of the "suspect" before the discovery of the murder and what explanation he gave of the murder after its discovery.

1. Before the Polish-Soviet Treaty of 30th July 1941 no official enquiry was addressed to the Soviet authorities concerning the fate of the prisoners of war from the three large camps, but individual questions were asked by their families and colleagues who had been deported to Griazovetz.

In the first place the families, ignorant of the liquidation of these three camps, continued to write to the former addresses. This correspondence was returned by the Soviet Postal Service stamped: "Retour—Parti," instead of being forwarded to the new camps, where according to the Soviet report, these prisoners were now detained. This is the more strange as the prisoners from Kozielsk and Starobielsk who had been deported to Griazovetz, continued to receive letters sent to their former addresses, i. e., to Kozielsk and Starobielsk.

Some of the families of the prisoners detained in the three large camps, who had also been deported to the U. S. S. R., made a direct approach in writing to the Soviet authorities as to the fate of their husbands or fathers. Two concrete instances of this are known, one from a German and the other from a Polish source.

The wife of 2nd Lt. R. Urbanski, from Kozielsk, whose body was found in Katyn and who herself had been deported to Kazakhstan, approached the Soviet authorities with a request for the address of her husband who had not given her any sign of life since March 1940. This application is said to have been found by the Germans in the records of the Smolensk branch of the N. K. V. D. together with the following annotation: "Inform her that he has been transferred to an unknown camp." This was an obvious falsehood. Had Lt. Urbanski, as stated by the Soviet report, been detained in one of the "special" camps some 25-40 kilometres west of Smolensk, the Smolensk branch of the N. K. V. D. functionaries of which received convoys at the Gnezdovo station, could not have been ignorant of the fact.

The other case concerns the family of one of the prisoners from Ostashkov. His family had been deported to Kazakhstan and in reply to enquiries he received the following answer signed by the judge in Ostashkov: "The camp where your father was detained was liquidated in the spring of 1940. The present whereabouts of your father is not known."

The prisoners deported to Griazovetz received letters from Poland with enquiries about their colleagues from Kozielsk, Starobielsk, and Ostashkov. When they questioned the local camp authorities as to the fate of these people, they were given obscure or evasive answers. When they addressed their enquiries to the N. K. V. D. delegate who arrived in Griazovetz from Moscow, they were told that the Griazovetz camp was the only officers' camp and that the rest of the officers had been released and sent home.

Against the background of these evasive or simply untrue statements, the reply stands out clearly as made by Beria and Merkulov during their conversation with Colonel Berling's group during their meeting in Lubianka in the Autumn of 1940. While they were talking about organizing a "Polish division" within the framework of the Red Army, and Colonel Berling pointed out the possibility of making use in this connection of Polish officers from Kozielsk and Starobielsk, he was told

that with regard to these officers "a great mistake had been made" and that, in consequence, they could not be counted on for service. This statement is quite incomprehensible as long as we accept the Soviet thesis which states that at that time the prisoners of war were said to be working on road construction in the district of Smolensk. The transfer of prisoners to these camps could under no circumstances have been regarded as a mistake of such importance as to exclude the possibility of officers being called upon for service.

After the conclusion in July 1941 of the Polish-Soviet Treaty, the Polish authorities were able to make official enquiries and extensive use was made of this opening, especially since in connection with the formation of the Polish Armed Forces in the U. S. S. R. there arose an acute shortage of officers.

The first enquiries about the "missing prisoners of war" were addressed by officers of General Anders's Headquarters direct to Soviet Liaison officers. They were informed that a considerable number of Polish officers had been released in 1940 and sent back to Poland, an untrue assertion. Later, when the Polish authorities realised that this was a false explanation, since the Polish Underground Organisation intimated that not one of the prisoners who had been detained in the three large camps had been located either in Poland or in any of the German prisoners' camps, the matter was taken up in Polish diplomatic and political circles in a series of conversations and Notes.

These conversations were conducted both by the Polish Ambassador in the U. S. S. R. with the Soviet Government and by the Polish Foreign Office in London with the Soviet Ambassador accredited to the Polish Government in London. In the conversations conducted in the U. S. S. R. Poland was represented by Ambassador Kot, by General Sikorski during his Moscow visit, and by General Anders. The conversations were conducted on behalf of the Soviets by Vice Commissar Vishinsky, Commissar Molotov, and Stalin, i. e., on the very highest levels.

The matter of the "missing" officers was first broached in the Kot-Vishinsky conversation on 6.10.1941 and for the last time before the Katyn revelations again in the Kot-Vishinsky conversation on 8.7.1942. These conversations covered therefore a period of nine months.

In all these conversations the representatives of the Soviet authorities, i. e., Molotov and Vishinsky, persistently declared that all the Poles, including all prisoners of war, had been released, but they supplied no details concerning this alleged release. In his early conversations Vishinsky gave assurances that he would investigate the matter of the "missing" officers and would supply the required information as the Soviet authorities possessed "lists of all, dead or alive" but during the later conversations, and especially during the last one, he stated that the Soviet authorities possessed no lists of released prisoners.

The same attitude was taken up by the Soviet authorities in their Notes and Aide-Memoires in which this matter was dealt with. Of basic importance in this matter is the Soviet Note of the 8th November, 1941, to which the N. K. V. D. always invariably referred in all subsequent letters. This Note categorically stated that all prisoners of war had been released. Since this Note was a reply to the Polish Note of 1.11.1941, requesting the release from camps and prisons of the "missing prisoners of war," at a time when the Katyn graves had not yet been discovered, it could not have been interpreted in any other manner than as a reply to the enquiries about the prisoners of war from the three large camps. Even in the light of the Soviet report entitled "The Truth about Katyn" this declaration must be classified as evasive in its form and not in accordance with the facts of the case.

Stalin's replies made to Ambassador Kot, General Sikorski, and General Anders bore a slightly different character.

In his first conversation with Ambassador Kot, on 14.11.1941 when the latter broached the matter of the camps in Kozielsk, Starobielsk, and Ostashkov, Stalin said that he would investigate this matter. He rang up the N. K. V. D. and asked how the matter of the release of the Poles stood. After a few minutes, he received an answer on the phone but did not refer to the matter again during his conversation.

In his conversation with General Sikorski on 3.12.1941 Stalin also stated that everybody, including officers, had been released, and when pressed again by General Sikorski, expressed the supposition that the Polish officers, prisoners of war had escaped to . . . Manchuria, and he closed his conversation with a promise to issue special instructions to his executive organs.

Finally, on 18.3.1942 in his conversation with General Anders, when the latter broached the matter of the prisoners of war from Kozielsk, Starobielsk, and



Ostashkov, Stalin declared: "I do not know where they are. Why should I keep them? It may be that they were in camps in territories taken by the Germans and were dispersed," and forthwith he turned the conversation into other channels.

Even in the light of the official Soviet report the declarations of the highest Soviet authority were intrinsically contrary to the truth and, as far as the form is concerned, evasive.

2. After the German revelations about the Katyn affair the Soviet authorities who, up to that time had tried to cover up the matter of the "missing" prisoners of war under the more general question of the release of Poles, and who continually repeated the same formula to the effect that all Poles had been released now, after several days' silence, put forward their own full version concerning the fate of the prisoners of war from the three camps.

These authorities who had heretofore stubbornly asserted that they knew nothing whatever of the fate of these prisoners, suddenly stated that they knew not only what had happened to these prisoners as long as they were in Russian hands, i. e., up to the time when they were supposedly captured by the Germans, but they even knew what had happened after the Germans had captured them. It should be emphasised here that the corresponding statements of the Soviet authorities contained in the communiqués of the "Soviet Inf. Bureau" of the 15th and 17th April 1943, were issued at a time when the area of Katyn was in German hands and when it was impossible to interrogate all those witnesses who, in January 1944, so clearly revealed in the Soviet report the details and the story of the "German provocation."

Already then, as was stated in the communiqué of the 17th April 1943, the Soviet authorities knew that these prisoners of war had been murdered by the Germans, that the Gestapo from its archives had supplied papers and documents which were placed in the Katyn graves. It might be said that these were mere suppositions, but it is astonishing that they should have proved to be so accurate, that witnesses in January 1944 should have confirmed them down to the smallest detail.

On the 17th April 1943 was issued a Communiqué of the Polish Minister of National Defence in London announcing the intention to approach the International Red Cross with a request to investigate the matter. The Soviet reaction was immediate, because as early as the 19th April 1943 there appeared in the Moscow Pravda an article entitled "Hitler's Polish Collaborators" which, among other things, embodied a definite refusal to allow the International Red Cross to investigate the Katyn murder. The Pravda article was reprinted on 20th April 1943, by the official Izvestia and the official TASS agency in a communiqué of the same date declared that same day that this article fully reflected the attitude taken up by the Soviet official circles in this matter.

This attitude is absolutely inexplicable if the Soviet thesis that the massacre was carried out by the Germans is to be accepted. In a massacre on such a scale, the truth could not, naturally, be hidden, if the investigations were honestly carried out. The Soviet government could easily have asked for suitable guarantees on such matter as the composition of the International Red Cross Commission, passes for its own representatives or the protection of the International Red Cross for the witnesses, etc., and have opposed the investigations if these guarantees had been refused or have interrupted the investigations, had these guarantees not been honoured. Instead of this the Soviet Government at once rejected, without any discussion, the proposal to have the affair investigated by an international institution.

We come, ultimately, to the Soviet report itself, as contrasted with the German report, which was drawn up with the participation of the "European Medical Commission," composed of eminent experts of twelve European nations, the Soviet report is the product of purely Soviet authorship. The Soviet authorities did not consider it necessary to invite the participation of anyone from outside the Soviet Union. If in 1943 one might have questioned the impartiality of an investigation, even were it carried out by the International Red Cross while the area was occupied by the Germans, in 1944, this reason had ceased to exist. Had Soviet authorities in 1944 decided to invite some international Commission, the latter would have been able to carry out the investigation without any pressure by the Germans who had by then been driven out of these areas. Finally, a last question to which it is impossible to find an answer, if one is to accept the Soviet theory that the massacre of the Polish prisoners of war was carried out by the Germans is to be accepted. If these prisoners were being detained in July 1941 in three "special" camps west of Smolensk and were captured by the Germans,

why did Soviet authorities fail to notify Polish representatives, diplomatic or military, about it at the proper time?

This question is of fundamental importance.

To this must be added one detail which is immensely significant. According to the Soviet report, the three "special" camps of Polish prisoners of war, situated at a distance of 25-40 kilometres west of Smolensk, are said to have fallen into German hands in July 1941, or, to be exact, after the 12th July of that year. Ambassador Maisky declared in London on 4th July 1941 that the number of Polish prisoners of war in the U. S. S. R. did not exceed 20,000. This figure differs little from the number of prisoners of war actually handed over by the Soviet authorities in August 1941 to General Anders, i. e., 28,000. It is incomprehensible, however, why Soviet authorities, in informing their ambassador in London before the 4th July 1941, i. e., at least 8 days before the day when the Germans were supposed to have captured the three "special" camps did not include these prisoners in their calculations. After all, these prisoners totalled approximately 15,000 men—a figure recently confirmed in the Nurnberg trial by Prosecutor Rudenko, i. e., a figure almost as large as that submitted by Maisky. It is possible that they had simply not taken them into their calculations, since already, even before the alleged capture of the camps by the Germans, their existence was no longer to be taken into consideration when the Polish Army was being organised in the U. S. S. R., just as they had not been taken into consideration as early as the Autumn of 1940, during Colonel Berling's conversation with Beria and Merkulov.

All the above facts, difficulties, and doubts find no explanation in the Soviet report and they therefore point to Soviet guilt.

NOTE.—The comprehensive report on the Katyn massacre prepared by the Polish Government in exile in London follows:

#### EXHIBIT 32—(Continued)

### FACTS AND DOCUMENTS CONCERNING POLISH PRISONERS OF WAR CAPTURED BY THE U. S. S. R. DURING THE 1939 CAMPAIGN

#### FOREWORD.

In the Spring of this year, three years had lapsed since the whole world had been stirred with the news of the mysterious deaths of thousands of Polish officers and men captured by the Russians in the 1939 Campaign and who since have been kept in captivity on Russian soil.

The disputes concerning the responsibility of the crime arose; but to the unbiased observer, the facts that were exposed by these disputes might not have given a clear picture of the whole situation. Now, however, much new evidence has been gathered and new facts established. These notes presenting the factual circumstances of the KATYN AFFAIR, may be helpful for the reader to establish in his mind the right answer to the question.

These facts, as presented on the following pages, are based on material collected since 1940 when, in the Spring, the sudden interruption of the correspondence with the Polish prisoners of war of the September, 1939 Campaign who were, up to that time, in camps at Kozielsk, Starobielsk and Ostashkov in U. S. S. R., gave rise to great anxiety about their fate, among Poles everywhere. In the Autumn of the same year communication once again became possible but only with a few hundred of them. The vast majority, about fifteen thousand, disappeared leaving absolutely no trace.

The changing circumstances of the war made very difficult the passage to and fro of people and news. This meant that the first information to be received about the Polish prisoners of war in the U. S. S. R. was vague and uncertain, full of unexplained gaps and striking contradictions.

The conclusion of the Polish Soviet Pact of July 1941 and the consequent liberation of some hundreds of prisoners of war from a camp at Griasovetz and many hundreds of thousands of other Poles from Soviet prisons and camps, greatly increased the amount of information available as also the rumours about this mysterious affair. During many months, the reestablished Polish Embassy in Russia and the Polish Military Command of the Polish troops at that time being organised there, made every possible effort to elucidate the fate of the missing prisoners, in a long series of talks with representatives, among them the very highest, of the Soviet Authorities. These negotiations provided a lot more material, both positive and negative, but failed to solve the mystery.

The German Katyn Revelations pulled aside the curtain by a little. Three years after the prisoners were first missing, in April 1943, the Moscow "Pravda" ("Truth") wrote that at last it had "now become perfectly clear" that they had been "bestially murdered". The entirely convincing evidence from the Katyn Graves left no doubt about the truth of this statement. But, there was still complete uncertainty as to when the monstrous crime was committed, in what circumstances and by whom. Two powerful states, Germany of 1943 and U. S. S. R., who hold in their exclusive possession all the material evidence of the Katyn crime, hurled accusations at one another and lay their respective evidence before the world.

This evidence was not always convincing and who knows if it was assembled in order that the real truth might be revealed and not, on the contrary, more deeply hidden. Sometimes, it fitted in with and supplemented materials already collected about the fate of the Polish prisoners and sometimes it was in flat contradiction to it.

Slowly, however, as a result of the immense amount of work put into collecting information piece by piece, information of diverse kinds from diverse sources and the unceasing attempt to fit these pieces together, there emerged a picture which, gloomy as was, almost certainly reflected the objective truth. This picture is not, even yet, complete, many pieces are missing, some of them containing important details, and only access to the documents in the Archives of the Soviet N. K. V. D. could completely elucidate the fate of the Polish officers. The main outlines, however, of the picture are now almost clear. These outlines are presented on the following pages, which consist of a description of part of the material collected in connection with the affair. They comprise three PARTS:

PART ONE, the story of the Polish prisoners of war in the three big camps and of those of them who were later found, up till July 1941.

PART TWO, the history of the efforts of the Polish authorities from August 1941 up till the time of the Katyn Revelations to find the missing prisoners.

PART THREE, a critical presentation of both the German and the Soviet version of the story of the Katyn murder.

The picture presented in these notes is not, we repeat, complete. There is still very much more to be made clear. We can only express the hope that, in the interests of Truth, the future will reveal the facts that can fill the gaps and shed light on the obscurities.

If however, because of the powerful political interests that are involved in the affair of the missing prisoners, the number of authentic documents available concerning the Katyn Affair is not increased but on the contrary, lessened, thereby making room for apocryphal ones to be put in their place, the documents described in these notes will at least present the evidence for as much of the true story of the Polish prisoners of war of 1939 missing in the U. S. S. R. as it is possible to tell in the Spring of 1946.

#### INTRODUCTION

##### 1. *The Red Army enters Poland. Allies or enemies?*

When the Red Army crossed the Polish-Soviet frontier at all points on September 17th, 1939, the general public, surprised by their arrival, was convinced that they had come to help fight the Germans. Polish state authorities too, both civilian and military, in the so-called "Rumanian bridgehead" in the South-Eastern area of Poland, were at first unaware of the real character of the Soviet move.

When, therefore, in the early hours of September 17th 1939, the first reports of the crossing of the Polish frontier by the Red Army began to reach the Polish central authorities from various places, the civil authorities issued instructions to all Polish administrative authorities and police in the frontier regions not only to remain at their posts to maintain peace and order, but to establish contact with the commanders of the advancing Red Army units, placing themselves at their disposition as allies in the fight against Germany.

A similar attitude was shown by the military authorities, who ordered the commanders of Polish detachments in the eastern territories of Poland to establish friendly contact with the Soviet commanders and under no circumstances to allow any Polish-Soviet incidents.

The situation was clarified during the course of the day.

Simultaneously with the Red Army's move into Poland, the Deputy People's Commissar for Foreign Affairs, Vladimir Potemkin, attempted to hand to the Polish Ambassador in Moscow, Wladaw Grzybowski, a note in which the Government of the U. S. S. R. adopted a very unfriendly attitude towards Poland,

abandoning its neutrality in the Polish-German war and denouncing all international treaties and agreements concluded with Poland among others the Peace Treaty of March 18th, 1921, the Kellogg Pact of 1928, the Treaty of Non-aggression of 25th July 1932, binding until 31st December 1945 etc. In justification of Russia's hostile attitude to Poland, he made the fantastic statement that "the Polish State and its Government had in fact ceased to exist" and that as the population had become a defenceless prey to whatever fate might overtake them, it was necessary for the Soviet Government to take it under its protection. For technical reasons the contents of this note, with the information as to the true nature of the Soviet move, only reached the Polish Government at 10 a. m. on September 17th, that is, several hours after the instructions and orders for the adoption of a friendly attitude to the Soviet Army had been issued.

Despite the tragic situation of Poland, attacked from west and east by two powerful neighbours, the Polish Government, trusting in the treaties concluded with the Western Democracies, decided not to lay down arms but to transfer the Centre of Polish resistance against the overwhelming might of both aggressors to the territory of her western allies.

The intensive bombardment by German planes and the double invasion from east and west seriously impaired communications and made it difficult for the instructions of the central authorities to reach their destinations.

The apprehensions of local authorities and individual commanders was confirmed by the behaviour of the Soviet troops, by radio announcements from Kiev, Minsk and Moscow, and by leaflets dropped from Soviet planes, calling upon Polish soldiers to lay down their arms and come over to the Red Army in order to "build up a happy, prosperous life".

In accordance with the first instructions issued by the central authorities, Government and local Government authorities in the provinces bordering on Soviet Russia approached the Soviet army in a confident and cordial manner and appealed for similar behaviour on the part of the population. (Proclamations calling on the people to receive the Red Army as friends were issued by the Mayors of Stanislawow, Tarnopol, Dubno and other towns. But when the prefects of frontier countries went out to meet the Soviet detachments, in order to put themselves at their disposal, they were immediately arrested (e. g. Kocuper, sheriff of Zbaraz) or even shot (e. g. Jarocki, sheriff of Sarny). Polish policemen and officers of Polish units who were trying to establish friendly relations with the Soviet Army were disarmed, ill-treated and arrested. Seeing this, all Polish units which were still capable of action decided to defend themselves.

Stubborn fighting by organised Polish units lasted for several weeks after September 17th, proving the falsehood of statements in the Soviet note regarding the "non-existence" of the Polish state organization, on September 17th. General Kleberg's group, comprising several divisions, fought on Polish territory between Brest Litovsk and Lublin against both aggressors until October 7th, 1939. Smaller units continued to fight considerably longer.

## *2. Soviets question Poland's right to resist aggression*

The German aggression on Poland resulted in the outbreak of the Second World War. During the war, until the conclusion of the peace treaties, all relations between the belligerent states and their armed forces are regulated by the appropriate rules of international law. The legal situation created by the Soviet aggression against Poland was extremely complicated. On the night of 17th September, 1939, the U. S. S. R. clearly renounced her neutrality in the Polish-German war and commenced armed hostilities against Poland. But she did not formally declare war and, despite the official treaty of friendship concluded by her with belligerent Germany on 28th September, 1939, she still maintained normal peaceful relations with the other members of the anti-German coalition. The Japanese aggression against China in 1932 had established a precedent in the law of nations for the existence of a state of armed hostilities between two nations without a formal declaration of war.<sup>1</sup> But in the case of

<sup>1</sup> The official history of the Soviet Communist Party describes the Japanese action on Chinese territory in Manchuria as follows: "Perceiving that, owing to the economic crisis, the European powers and the U. S. A. were wholly engrossed in their domestic affairs, the Japanese imperialists decided to seize the opportunity and bring pressure on poorly defended China, in an attempt to subjugate her and to lord it over the country. Unscrupulously exploiting 'local incidents' they themselves had provoked, the Japanese imperialists, like robbers, without declaring war on China, marched their troops into Manchuria thereby preparing a convenient place d'armes for the conquest of North China" . . . (History of the Soviet Communist Party, London 1943, p. 276).

Poland the situation was immensely complicated by Russia's denial of the existence of a Polish state after September 17th, 1939.

The Soviet theory of the "collapse" of the Polish state, which was the alleged reason for the intervention of the U. S. S. R. was in glaring contradiction to the facts.

The Soviet Army was at first welcomed in Poland, which fact was immediately emphasised in an official communique of the Soviet General Staff on 17th September, 1939. This was due to a tragic misunderstanding and was in accordance with the instructions issued by the Polish central authorities. When the real nature of Soviet intervention was revealed later, the Polish army—again in accordance with the instructions of the Polish central authorities—put up a stubborn resistance to the Red army in which they were supported up by the civilian population. It is significant that none of the later communiqués of the Soviet General Staff made any reference to the friendly attitude of the local population towards the invading forces.

The communiqués of the General Staff of the U. S. S. R. army, as well as orders issued by the supreme commanders of that army after the termination of the Polish campaign, and official declarations of Soviet statesmen, publicly stated that the Soviet Army in Poland met with serious, organised resistance from the Polish army, which was difficult to overcome.<sup>1</sup>

In spite of this indisputable evidence of the existence of an effective state organisation on Polish territory, with armed forces at its disposal, the Soviet authorities obstinately maintained that the Soviet armies crossed into Poland "at the moment of the complete collapse of the Polish state".<sup>2</sup>

Also they consequently denied that the operations of the Soviet Armies in Poland constituted an act of war from the point of view of international law.

Moscow's official attitude was described as follows in "The Times" correspondent's despatch from Helsinki on 17.9.39: "The Soviet Union today sent troops across the frontier to stab Poland in the back. The intention apparently is to conquer White Russia and the Ukraine. The invasion is not regarded in Moscow as an act of war, because according to the Soviet thesis the Polish State has ceased to exist". ("The Times," Nr. 48413, September 18th, 1939).

### 3. Prisoners of War or common "Criminals" and "Bandits"?

Denying the existence of a Polish state organisation and of the Polish Armed Forces, the Soviet army, from the moment of crossing the frontier, did not consider itself bound by any of the international laws of warfare in its actions on Polish territory.

The highest Soviet commanders had not the slightest intention of applying the rules of international law or of Polish law in the territories occupied by them, but substituted the laws of "the great Soviet fatherland". In the first days of occupation General Timoshenko, Commander-in-Chief of the Ukrainian Front, spoke clearly of this "fatherland" in his letter to the Polish citizens in the county of Czortkov, published in the Moscow "Izvestia" of 30.9.39. A member of the "Izvestia" staff, Gabrylovitch, agreed entirely with the General's attitude, stating that the fact of the Red Army's entry was sufficient to transfer the allegiance of the population of the occupied territories (from an article entitled "Gorodok" in "Izvestia" 25.9.39).

Treating the inhabitants of the occupied territories as Soviet citizens, the authorities of the U. S. S. R. from the very beginning applied to them the Soviet penal code, threatening them with long term imprisonment or "the extreme punishment" (the death sentence) for counter-revolutionary activities injurious to the "interests of the world proletariat", "to the working class and the revolu-

<sup>1</sup> Marshal Stalin, in a telegram of congratulation on the occasion of the 20th anniversary of the 1st Red Cavalry Army ("Pravda", 19.11.39) stated that this army "covered itself with glory in the battles" in Poland. These battles must have been heavy and Polish resistance organised, for it is not possible to "cover oneself with glory" when fighting a non-existent opponent.

Marshal Voroshilov, in his orders Nos. 199 of 7.11.39 and 209 of 19.11.39 stated that "in battles against Polish troops" Soviet units "showed great courage, heroism and initiative" and that in combatting the well-organised resistance of Polish troops, "unexpected blows, the surrounding and destruction of the enemy by wide and flexible manoeuvres, inexhaustible initiative skilfully co-ordinated operations of infantry units with sniper detachments and mechanised units, courage and imperviousness to fear" were necessary. ("Pravda", 7.11.39 and 19.11.39).

Molotov, People's Commissar for Foreign Affairs, at the 5th Extraordinary Session of the Supreme Council of the U. S. S. R. stated that "in fighting their way through these areas (in Poland), our troops sometimes had serious encounters with Polish units, in which losses were inevitable."

<sup>2</sup> Quotation from Molotov's speech of 31.10.39.

tionary movement" or to "the basic achievements of the proletarian revolution".<sup>1</sup>

Only in the light of this "fundamental" attitude of the Soviet authorities is it possible to understand their action in arresting immediately after the Soviet Army crossed into Poland, all officials and civil servants of the Polish State and taking proceedings against them under the articles of the Soviet penal code above-quoted.

From this point of view all members of the Polish armed forces were "criminals", particularly the officers, for whom there were no "extenuating circumstances", as there were in the case of the ranks owing to the existence of compulsory military service and the resulting forced conscription to the army in the "late" (according to Soviet terminology) Polish state. Hence even in those units which at first greeted the Red Army cordially, all regular officers and N. C. O.s were immediately arrested by the Soviet authorities.

Soviet propaganda openly called on Polish soldiers to revolt against their commanders.<sup>2</sup>

But as this propaganda did not produce good results for the Soviet authorities, before long the Soviet press began to speak not of the Polish Army but of "armed bands" of officers and "Polish bandits". Here is one of many examples. Major K. Vriedensky, in an article entitled "Podrobnosti boiev za Grodno" (Facts of the fight for Grodno) published in "Pravda" No. 266 of 25.9.39, wrote ". . . — About 3,000 Polish officers and military police were concentrated in the town. By force of arms this band compelled soldiers arriving from East and West to join the battle. Detachments of officers gathered in strong buildings, churches, barracks and in the residence of Prince Lubomirski . . . — Avoiding open battle these bands of officers used treacherous methods of fighting in ambush. There were cases of officers dressing themselves as soldiers or civilians. Many of them wore civilian clothes under their uniforms in case of emergency."

It should be admitted that in view of the Soviet denial, of the existence of a Polish state organisation, the latter terminology was more logical than that used earlier, when "Polish units" were referred to.

This dual terminology reflected a certain absence of unanimity of the views held by the Soviet officials. Some of them clung with the greatest obstinacy to the "basic theory" of the non-existence of the Polish State and all the logical consequences of this theory; others regarded more the situation more in the light of life real state of affairs—actual military operations against the organised armed forces of the Polish State.

This divergence of views was apparent afterwards in the treatment of Polish soldiers who fell into the hands of the Soviet authorities in various circumstances and districts. Polish soldiers were "arrested" by the Soviet authorities regardless

<sup>1</sup> It is characteristic that the Soviet penal code used an extremely vague terminology regarding political "crimes", referring generally to "The socialist state of workers and peasants", "the Soviet regime", "the authorities of the workers and peasants", "interests of the working people", "achievements of the proletarian revolution", "revolutionary agents of the workers' and peasants' organisation", "the working class and the revolutionary movement", etc., thereby allowing of an extremely wide interpretation of these rules. Here are some quotations from the penal code RFSSR of 1926, on which are modelled the penal codes of all other Soviet Republics:—

"Article 1 (Section): The purpose of the penal law is to protect the socialist state of workers and peasants and its established legal order from dangerous acts (crimes) by applying to the perpetrators of these acts the measures for social protection contained in this code.

"Article 6: As socially dangerous is considered any action or omission against the Soviet regime or infringement of the legal order established by the workers' and peasants' authorities for the transitional period preceding the setting up of a communist regime.

"Article 58 Para. 1: As counter-revolutionary are regarded all activities aimed at overthrowing, undermining or weakening the authority of the workers and peasants Soviets . . . or the basic economic, political and national achievements of the proletarian revolution. In view of the international solidarity of all workers' interests, such activities are also considered counter-revolutionary if they are directed against any other workers state not forming part of the Soviet Union.

"Article 58 Para. 8: Terrorist acts directed against representatives of the Soviet authorities or revolutionary agents of workers' and peasants' organisation . . . (shooting or imprisonment for a period not less than 3 years).

"Article 58 Para. 11: Any kind of organised action aimed at preparing or carrying out the crimes set out in this chapter, as well as participation in an organisation formed for the purpose of preparing or committing any of the crimes enumerated in this chapter will be punishable in accordance with the measures for social protection indicated in the respective articles of this chapter.

"Article 58 Para. 13: Any activities or active combat against the working class and the revolutionary movement, committed while occupying an official or secret position under the Tsarist regime or in counter-revolutionary governments during the civil war, are punishable under the measures for social protection indicated in Article 58 Para. 2 of this code." (Shooting or imprisonment for a period of not less than three years.)

It should be noted that when in early summer, 1945, 16 Polish citizens, among them the C. in C. of the Underground Home Army and 3 ministers of the Underground Government were brought to trial in Moscow, they were accused and condemned under the articles 58 Para. 8, 58 Para. 11 and 58 Para. 12a of the Soviet Penal Code quoted above.

<sup>2</sup> "Soldiers!" ran the proclamation of 21.9.39 issued in relatively good Polish by General Timoshenko, commander of the Ukrainian front—"Kill your officers and generals. Do not obey the orders of your officers. Drive them from your land. Come confidently to us, to your brothers, to the Red Army."



of whether they were captured on the battlefield in possession of arms or taken prisoner after a general capitulation of forces surrounded by the Red Army.<sup>1</sup>

They were also arrested—

a) from units which at first cordially greeted the supposed allies as they crossed into Poland;

b) from among those officers and N. C. Os. who voluntarily and loyally reported for the "registration" ordered by the occupation authorities after the occupation of the country;

c) and from among those who did not report for this registration. The Soviet authorities arrested all officers in uniform (not attached to any unit, or belonging to the reserve pool of officers evacuated to the east etc.), or people in civilian clothes or in uniform of the ranks who were suspected of being officers concealing their rank from the occupation authorities. For a few months after September 1939, the Soviet authorities treated all these categories uniformly. Sometimes all were treated as prisoners of war (the weaker tendency), sometimes all were treated as "criminals" who had violated the laws of the "Soviet legal order" (stronger tendency). In consequence of the second tendency, prisoners of war in the strictest sense of the word, i. e. soldiers captured on the battlefield in possession of arms, were not only deprived of the privileges accorded to prisoners of war, by international convention, but were on the contrary treated as "criminals", twice, for in addition to the "crime" of belonging to a bourgeois army hostile to the proletarian state, they were also "bandits" putting up armed resistance to the Red Army, which was carrying out the orders of the "legal" authorities of the Soviet state—the international fatherland of the proletariat.

Polish soldiers taken prisoner by the Soviets had absolutely no knowledge of these "legal interpretations". Confident that as prisoners of war they would be accorded the well-known to them international rights and privileges laid down by the Geneva and Hague conventions, it did not occur to them that these would be withheld.<sup>2</sup>

In order to understand the "legal" position in which Polish soldiers afterwards found themselves in the "N. K. V. D. prisoner of war camps" at Kozielsk, Starobielsk and Ostashkov, it is necessary to realise the consequences of the above mentioned "legal interpretation" arising with the "irresistible, iron necessity of logic" from the fundamental thesis of the U. S. S. R. note of 17.9.39 on the "non-existence of the Polish state".

That is why we give this theoretical introduction to the story of the Polish officers who disappeared in the U. S. S. R., an introduction, which may make more intelligible to the Western mind, the fragmentary story which follows.

## PART ONE. POLISH P. O. W.s IN U. S. S. R. BEFORE 1941.

### CHAPTER I. POLISH PRISONERS OF WAR IN THE MONTHS IMMEDIATELY FOLLOWING SEPTEMBER 1939.

#### 4. *How many Polish servicemen were taken prisoner by the Soviets?*

The following communiqués issued by the General Staff of the Red Army during the hostilities in Eastern Poland gave the numbers of Polish servicemen taken prisoner as follows:—

a) the communiqué of 20.9.39 states: "According to incomplete reports, about 60,000 officers and men have been taken prisoner."

<sup>1</sup> A characteristic example of capitulation is the surrender of the city of Lwow to the Armies of the Soviet Union, signed on 22.9.39 in Winniki by the commander of the 6th Army Corps, Maj. Gen. Langner, and a representative of the Soviet Forces:

"In view of the encirclement of the Polish Army in the city of Lwow by formations of the Red Army on one side and by German formations on the other, the Commander of the Polish Army Corps, Maj. Gen. W. Langner, sees no practical sense in prolonging further the slaughter of his troops and of the innocent civilian population of the city. Consequently the Commander of the Corps, Maj. Gen. Langner, is obliged to take the decision of coming to an agreement with the Commanders of the Red Army regarding the surrender of the city of Lwow and its garrison on the following terms:— . . . Section 8. Personal freedom and immunity of moveable property is guaranteed to officers of the Polish Army. In the case of travel to the territory of another state, the matter will be decided by the civil authorities through diplomatic channels . . ."

The above agreement was never in the slightest degree observed by the Soviets, and all officers from Lwow were sent to the camp of Starobielsk, together with other prisoners of war. According to some of these officers who survived Starobielsk, the above quoted Section 8 of the agreement of 22.9.39 was included in the act of capitulation after the Soviet signatories, had promised to make arrangements for all Polish officers who desired to go through Rumania or Hungary to France in order to continue the fight against Germany.

<sup>2</sup> It should be pointed out that the U. S. S. R. never signed the Geneva Conventions regarding the treatment of prisoners. Strictly speaking therefore, the rules of these conventions were not applicable to persons taken prisoner by the U. S. S. R. or to Soviet prisoners in other states. But a considerable part of the Geneva Conventions may be considered as the generally accepted international standard of all civilised peoples—one therefore as a common law binding also the U. S. S. R.

b) the communiqué of 23.9.39 stated: "According to additional reports, 8,000 officers and men were taken prisoner during the liquidation of a group of Polish troops south-east of Kowel on 22.9.39.

c) in the communiqué of 24.9.39 it was stated: "Units of the Red Army destroyed a large detachment of Polish troops South-East of the Brest fortress, disarming and taking prisoner over 10,000 officers and men. In the areas South and North-East of Hrubieszow an infantry regiment and units of a motorised brigade were surrounded and taken prisoner".

d) according to the communiqué of 26.9.39: "in breaking the resistance of the remains of the Polish army . . . units of the Red Army disarmed and took prisoner between Brest Litovsk and Wlodawa 25 military transports, numbering 25,000 officers and men".

e) the communiqué of 28.9.39 stated: "units of the Red Army disarmed and took prisoner 5 regiments of cavalry with 15 guns in the region of Krupienice and also liquidated scattered groups of Polish troops".

The total number of Polish soldiers taken prisoner during the September campaign was not disclosed in the communiqués issued by the General Staff of the Red Army. According to some estimates worked out on the basis of these communiqués, about 166,000 officers and men fell into Soviet hands between September 17th and September 28th 1939.

On the anniversary of the U. S. R.'s attack on Poland, the official organ of the Red Army, *Krasnaia Zvezda* ("Red Star") of 17.9.40 (No. 218/4667) gave the following figures: "In the course of 12-15 days the enemy was completely defeated and destroyed. During the same period one Army Group of the Ukrainian Front alone surrounded and took prisoner 10 generals, 52 colonels, 72 lieutenant colonels, 5,131 officers, 4,096 junior officers (?) and 181,223 men of the Polish Army".

In an article by Corps Commissar S. Kozhevnikov entitled "A Historical March", further figures are given probably additional to those given in the above article. The author states that in the region of Dubno 500 officers and 5,500 men were taken prisoner, and during the liquidation of General Anders' group, 2 generals, 3 colonels, over 50 other officers and 1,000 men were also taken. In the region of Wlodzimierz Wolynski a tank brigade captured 1,500 officers and 12,000 men. Another brigade, commanded by comrade Bogomolov, took 15,000 prisoners in the same region and 3,000 officers and men in the Lublin area. And, finally, in the battle of Grodno 38 officers, 28 junior officers (?) and 1,477 men were stated to have been taken prisoner.

Adding the figures given in the article "*Krasnaia Zvezda*", it appears that in the period up to the middle of October 1939, 230,670 Polish soldiers, including 12 generals and about 8,000 officers, fell into Soviet hands.

To this number must be added the regular and reserve officers arrested by the Soviet occupation authorities on Polish territory, who after some considerable time were counted as prisoners of war, together with the Polish soldiers interned in Lithuania and Latvia in 1939, who, after the "incorporation" of these states into the Soviet Union in 1940, also fell into Soviet hands.

On the basis of these figures the total number of Polish "prisoners of war" in the U. S. S. R. may be estimated as being over 250,000, of which more than 10,000 were officers.

##### *5. Three methods of treating Polish soldiers captured by the Soviets.*

The Soviet administrative machinery, unprepared for so large a number of prisoners, had considerable difficulty in dealing with them, all the more so because at that time there were three different points of view as to what should be their treatment and status:

A. According to the official communiqués of the General Staff of the Red Army, they were "normal" prisoners of war and as such entitled to be treated in accordance with the rules of international law.

B. According to the "theoretical conception" of the "nonexistence" of the Polish State, held by the People's Commissariat for Foreign Affairs (official note of 17.9.39) and the declared opinion of the Soviet press, (undoubtedly shared by the N. K. V. D., i. e. Russian Secret Police) these prisoners were "members of armed bands" resisting the armies of the legal Soviet authorities, thereby causing the great sufferings to the local population. Their treatment from the point of the Soviet law should therefore be that of ordinary "criminals", and "malefactors".

C. According to the proclamation of the commander of the Ukrainian front, General Timosjenko, they were Soviet sympathisers who had voluntarily come over to the side of the Red Army, and should therefore be treated as friends.

While the first conception applied equally to officers and other ranks and called for more or less equal treatment for all, the second and third conceptions drew a sharp distinction between officers, regular N. C. Os and volunteers, fighting of their own free will against the Soviet armies on the one hand and on the other men compulsorily "mobilised" for the Polish Army and "compelled by force" to resist the Red Army.

#### 6. *The Fate of officers and men in Soviet captivity.*

While the ranks of the police, Military Frontier Guard and military police were treated just as badly as were the officers, in many cases the ranks of the army, after having been disarmed and made to listen to demagogic speeches about their "liberation" by the Red Army from "the Polish landlords' yoke" and from the war started by those landlords, were set free and sent home. There were many exceptions to this rule. The ranks of the infantry were often kept in camps surrounded by barbed wire, exposed to cold and hunger, or deported to the interior of Russia, from where some of them (usually the aged, those belonging to the so-called national minorities or inhabitants of the Eastern territories of Poland) were freed and sent home. Some were dragged from camp to camp and finally sent to forced labour in the coal mines of the Donetz Basin or to the extreme North of Russia to build aerodromes, roads, etc.

It is even more difficult to discover any rules governing the treatment of Polish N. C. Os by the Russian authorities. In general they occupied a middle position between that of men and officers. Some, undoubtedly the minority, were sent home with the men; the majority, together with a minority of the men, shared the fate of officers and were sent to prisoner-of-war or labour camps.

It is noteworthy that Polish officers and N. C. Os, soon realizing that the attitude of the Soviet authorities to prisoners of war was definitely influenced by their military rank, began to take off their insignias and disguise themselves as privates. There is no known case of men giving away officers hiding among them.<sup>1</sup>

Of the many officers who survived Soviet captivity, most of them owe their liberation to the fact that during the whole of their detention the Soviet authorities were never able to discover their real rank. When, therefore, reference is made to privates, N. C. Os, or officers, only those whose rank was known to the Soviet authorities are included.

#### 7. *Prisoner of war camps.*

The privates, N. C. Os and officers in Soviet captivity were kept in about a hundred prison camps, some of which were situated on Polish territory (almost exclusively for privates), others in the interior of Russia (containing all officers, most N. C. Os. and some privates). A number of these camps were only rallying points and were soon liquidated; others existed until the outbreak of the German-Soviet war. After May, 1940, many of the camps inhabited by Polish N. C. Os. and privates were transferred to the far North, to the Kola Republic and the Kola peninsula, between the White Sea and the Arctic Ocean (region of the Ponoï river). This was the foundation of the widely circulated rumour that Polish officers were sent to the distant northern territories of Russia.

During the first period after September, 1939 many thousands of people were herded in these prison camps, in terribly overcrowded and insanitary conditions, either in half-ruined barracks or in no less ruined buildings, such as churches or monasteries destroyed by the Revolution. They usually slept on the ground without mattresses or blankets. Once every 24 hours, at varying times, food was brought to them, usually consisting of thin lentil soup and a piece of bread.

At first the treatment of officers (and sometimes N. C. Os too) was very bad. They were not separated from the ranks and in camps in the interior of Russia were made to perform particularly heavy and unpleasant tasks (carrying water, peeling potatoes, cleaning latrines etc.). This was done with the object of humiliating them and was a specific method of propaganda and agitation aimed at winning the sympathy of the soldiers.

But in this respect the Soviet authorities met with great disappointment. Most of the Polish soldiers were not impressed by this degradation of their commanders and did their best to help them in carrying out the tasks which the authorities had ordered them to perform. On the other hand, from the Soviet point of view the presence of officers had a bad influence on the morale of the soldiers, keeping up their spirits and giving them courage. It was therefore not long before steps were taken to separate commanders from their men.

<sup>1</sup> In the camp at Krivol Rog there were about 50 officers among the 6,000 Polish prisoners; in the Telenovka camp in the Donetz Basin about 25 officers among 4,000 prisoners.

During the first period of their captivity (September and October, 1939), when the officers were still with their men, most of the officers were grouped in several camps, mostly in the regions of Shepietovka, Putyvl, Boloto, the Tiotkino station near Sumy and in the monasteries of Safranovsk, Griazovietz, Yukhnov (Pavlishchev Bor), Talitza etc.<sup>1</sup>

During the end of October and beginning of November 1939, all officers were removed from these camps and sent to two large camps for officers only at Kozielsk (province of Smolensk) and Starobielsk (province of Voroshylovgrad) in the Ukraine. At approximately the same time, as a result of the general segregation of prisoners being carried out in the camps, officers, N. C. Os and men of the military police, frontier guard, Military Frontier Guard and civil police (militarised in 1939), as well as all officers, N. C. Os. and men proved to have been engaged in intelligence work—all of whom were particularly disliked by the Soviet authorities—were sent from various camps to a special camp at Ostashkov (province of Kalinin). It is with these 3 camps, that we are chiefly concerned in the following pages.

#### CHAPTER II. THE KOZIELSK CAMP.

##### 8. *Topographical and historical description.*

The Kozielsk camp was situated in the grounds of a former Orthodox monastery 5 miles from the Kozielsk railway station on the Smolensk-Briansk line (see the map at the end of PART ONE).

About 600 yards from the Monastery and separated from it by woods was the "Skit" hermitage, where the Eremite monks formerly lived. After the liquidation of monasteries in the post revolutionary period, the main monastery building was converted into "The Gorki Rest Centre for Workers" and the "Skit" into a "House for Mothers and Children". The monastery farm became a "sovkhoz" (collective farm).

The whole monastery camp was so derelict and gloomy that, judging by the descriptions on parapets, windows and walls, Soviet workers frequently expressed their desire to return home from their "rest" spent in darkness, dirt and boredom, alleviated only by bug-hunts.

In September 1939, both rest houses were earmarked for Polish prisoner of war camps. Machine gun nests were installed on the four towers and between the towers stood elevated sentry boxes for the guards. The grounds were surrounded by barbed wire entanglements, carefully guarded by armed guards of the special N. K. V. D. (secret police) army.

##### 9. *Kozielsk I (September–October 1939)—Polish P. O. W. Camp for non-commissioned ranks.*

At first captured Polish soldiers were sent to Kozielsk as to other prisoner of war camps, without any system. By the end of September about 12,000 prisoners, mostly other ranks, were crowded into the Kozielsk camp. Conditions did not differ basically from those described above. (See page 18.)

The population of the camp was constantly changing. From time to time parties of several hundred persons were removed and others arrived in their place. The destinations of those removed are not definitely known. It is possible that some were freed and sent "home" and the others thrown into other camps.

After the middle of October, 1939, there was a noticeable tendency to empty the camp at Kozielsk. Increasingly large parties of privates were taken away and the camp became more or less deserted. During the same period a few new parties were brought to Kozielsk, composed mostly of civilians arrested on Polish territory by the Soviet authorities, among them many priests and 6 women.

In the last days of October and the first weeks of November large groups began to arrive at Kozielsk, consisting of officers and cadet officers, (who were counted as officers) brought there from various camps Shepietovki, Putyvl, Griazovietz, Yukhnov, Talitza etc.)

At the same time, the evacuation of other ranks continued as well as of the majority of civilians brought there in October. Consequently, after November 1939, Kozielsk became a special camp for Polish officers.

<sup>1</sup> Among others, the following larger permanent camps should be mentioned: Yelenovka (in the Donetz Basin), Juza (province of Ivanov-Vozniesensk), Karakub (near Stalino), Kozielsk (near Smolensk) Kozielshtchyzna (near Plotava), Krasny Lutch (province of Voroshylov) Krivai Rog and Marganietz (near Dniepropetrovsk), Zviahel (Novograd Volynski), Ostashkov, Suzdal, Starobielsk, etc. Altogether Polish prisoners of war were kept in about 51 camps in the territory of the U. S. S. R. and in roughly the same number of camps on Polish territory.

10. *Kozielsk II (November 1939–May 1940). Officers Camp. A. Inmates of the Camp.*

In the second period the inmates of the Kozielsk camp numbered about 5,000 persons, the great majority of whom were regular officers and reserve officers mobilised in 1939. In addition, there were in the camp a few hundred cadet officers and about 150 soldiers remaining there from the preceding period, who were made to perform the heavier work of the camp, and approximately 100 civilians. The only remaining woman was Lt. (pilot) Lewandowicz or Lewandowska, which name, according to some reports, was a pseudonym for Mrs. Dowbor-Musnicka.

The transfer of people to and from the camp decreased considerably but did not cease altogether. For instance in December, 1939, about 100 prisoners were transferred to Kozielsk from Pavlishtchev Bor, including intelligence officers, military police and military judges as well as Polish civil judges and public prosecutors. These prisoners, on whom the Soviets had probably passed long sentences of hard labour in camps of correction, looked terribly ill-treated and were particularly carefully guarded in a separate building, surrounded by barbed wire and strictly isolated from the rest of the camp. Among them were a retired Colonel named Widzcki, Mayor of Tarnopol, and Colonel Tadeusz Kornilowicz, son-in-law of the famous writer Henry Sienkiewicz. Before three weeks had elapsed the whole of this group was deported from Kozielsk in an unknown direction and all trace of it was lost.

In addition, smaller groups or single officers came and went, probably in connection with the investigations which were in progress in the camp (see below). A certain number of those individually removed from Kozielsk between December 1939 and May 1940 were afterwards found in Soviet prisons, or in correctional labour camps. (Colonel Libkind-Lubodziecki, Captain Makarozynski, etc).

The day before Christmas Eve 1939, all army chaplains were removed from Kozielsk, including the Polish Army Bishop's deputy and Monsignor Czesław Wojtynski. The only exception was a chaplain, Father Jan Zielkowski, who was ill in the camp hospital and therefore remained in the camp and shared the fate of the officer prisoners. Among the priests removed from Kozielsk in December 1939, was a professor of the Pinsk Seminary, Father Kantak, who was regarded as a citizen of Danzig.

Reckoning on the basis of their Polish rank, there were in the Kozielsk camp:

- 4 generals, 1 vice admiral
- about 100 Colonels and Lt. Colonels
- about 300 Majors
- about 1,000 Captains
- about 2,500 Lieutenants
- a few hundred Cadets.

Among these were approximately 200 airmen and about 50 naval officers. Approximately 50? were regular officers and the remainder reserve officers called for active service in September 1939. Among the latter were representatives of various civilian professions—the flower of Polish intelligentsia:

- a) 21 professors, lecturers and readers, from Polish universities and colleges
- d) over 300 military and civilian (mobilised) doctors, among them famous Polish specialists
- c) several hundred lawyers—judges, public prosecutors, barristers
- d) a few hundred engineers
- e) a few hundred elementary and secondary school teachers
- f) various writers, journalists, publicists, industrialists, mechants etc.

Among the prisoners at Kozielsk were also officers disabled in the last war, some of whom had lost a leg or an arm. As they were not fit for active service and were not mobilised in 1939, they were arrested by the Soviet authorities in their homes in Poland and sent to the prisoner of war camp at Kozielsk. Among them were two colonels with artificial arms. Capt. Dlugosz, a doctor with an artificial leg and Captain Horoszkiewicz, with a paralysed arm.

11. *Kozielsk II. B. The camp authorities.*

While in the first period (September–October) the prisoner of war camps were improvised and of a transitory nature, the officers' camp at Kozielsk (Kozielsk II) appeared in many respects to be organised as a permanent camp.

It is important to note that, in spite of the official use of the term "prisoner of war" in respect of the inmates, this camp was not controlled by the Soviet military authorities, but by the civil and political authorities of the Commissariat for Home Affairs (N. K. V. D.) and was administered by officers of the N. K. V. D.

The official commandant of the Kozielsk camp was N. K. V. D. Commissar Koralov. But, in fact, from November, till the middle of March 1940, the camp authorities were under the command of an N. K. V. D. general (Kombrig) named Zarubin who, according to rumours circulating among the prisoners, had at one time occupied a post in the Soviet Military Attache's office in Warsaw. N. K. V. D. Major Elman, an Estonian, was Gen. Zarubin's deputy. He spoke little, suffered from ill-health and was generally polite to the prisoners. After Zarubin's departure in March 1940, Elman succeeded him.

#### 12. *Kozielsk II. C. Living conditions.*

Although, during the first period of captivity in the provisional camps, the possession of senior rank was a distinct disadvantage, the situation was quite the opposite in the Kozielsk camp for officers. Immediately on arrival groups of officers brought to Kozielsk were sorted out according to rank and privileged treatment was given to the higher ranks.

Generals and colonels were housed in the best, newly built block (No. 7.) where they lived under reasonably good conditions.

Lt. Colonels and some of the younger colonels were put into block No. 22, where the conditions were nearly as good. As a result of overcrowding, some of the officers had to live in corridors, but each one had a bed and a small amount of bed linen.

Majors occupied a brick building, block No. 14, situated next to block No. 7.

The remaining junior officers lived in varying conditions in other blocks. Those in wooden huts with small rooms were on the whole better off. In the large blocks, containing enormous halls equipped with several tiers of bunks, conditions were worst, owing to the constant movement, noise, dirt, bad lighting and bad air. There were also other factors which made life in the camp unpleasant—dampness, cold, shortage of water, too few and very insanitary latrines. There was a shortage of straw for mattresses, of which there was not a sufficient number to go round, only about 50% of the junior officers being supplied with them. Every prisoner received pillow cases and blankets, but very few were supplied with sheets. Difficulty in obtaining soap and water caused lice and bed-bugs.

It is noteworthy that in the monastery itself were housed only prisoners from territories occupied by the Germans and Lithuanians; all Polish officers coming from Russian-occupied territories were put into the "Skit". This separation caused rumours of the immediate release of prisoners whose homes were in Soviet occupied territories of Poland; according to these rumours, prisoners coming from German-occupied territories were to be exchanged for inhabitants of the Eastern Provinces of Poland, who were prisoners of war in German hands. Such rumours were constantly circulating in the camp, but nevertheless the inmates of the "Skit" received exactly the same treatment as those of the monastery itself. The two groups of prisoners were able to communicate with each other from time to time, when the inmates of the "Skit" came to have a bath.

In attempting to explain the radical change of attitude adopted by the Soviet authorities towards the Polish officers in the Kozielsk camp, it is necessary to remember divergence (see para. 5) of views among the Soviet authorities regarding the legal situation of Polish soldiers who had fallen into Soviet hands. It is probable that in the period between November 1939 and April 1940 there was an increasing tendency among the responsible authorities to treat them as "normal" prisoners of war with the result that the generally accepted international codes were to a certain extent recognised.

#### 13. *Kozielsk II. D. Camp "Self-Government".*

According to international custom, normal military discipline is enforced in a prisoner of war camp, the lower ranks being subordinated to the higher ranks. In addition to the official camp authorities of the state whose prisoners the inmates are, the prisoners also have some kind of authorities of their own, lead by the senior officer in the camp.

In "normal" Soviet N. K. V. D. forced labor camps a certain type of "camp self-government" is found N. K. V. D. authorities are in sole control outside the camp, but inside there are various "authorities" and "functionaries" chosen by the N. K. V. D. from among the prisoners. Such a method has certain advantages for the Soviet authorities:

- a) it destroys harmony among the prisoners
- b) it allows the odium for particularly unpleasant regulations to be transferred to the "self-government" authorities.
- c) prisoners wishing to take advantage of the privileges attached to camp duties are thus persuaded to serve the Soviet authorities.



The "authorities" and "functionaries" found in the Kozielsk camp were similar to those set up in all normal Soviet forced labor camps which contain only "criminals" sentenced by the Soviets.

In the Kozielsk camp the highest ranking officer was General Minkiewicz, who did not, in fact, become the Polish camp commander. But despite this fact—and even though he felt himself to be at a considerable disadvantage because he had no uniform (possessing nothing but the worn-out civilian suit in which he was arrested) and therefore hardly ever left his room—his authority was none the less universally recognised by Polish prisoners, who complied with all instructions and orders unofficially issued by him.

The Soviets appointed as Polish Commander of the Kozielsk camp an artillery Major named Czerniakowski, who enjoyed the general trust of the prisoners.

The Soviet authorities also appointed "seniors" among the inmates of each block; in the large blocks, the inmates were divided into "companies" with their own "seniors". "Seniors" or "commandants" kept detailed records of their groups and organised the distribution of bread and provisions, tobacco, and clean linen, the allocation of labor, sending the sick to the doctor, etc.

Some of the P. O. W. doctors were allowed to work in the camp's hospitals. From among the other inmates men were also detailed for special "functions" working in the kitchen and washhouses, acting as barbers, etc.

#### 14. Kozielsk II. E. Food and work.

According to the regulations posted in the camp, each man should have received a daily ration of 800 grammes (about 2 lbs.) of bread (500 grammes of black and 300 grammes of white), 20 grammes (less than an ounce) of sugar and a supply of soap for washing and laundry. Sugar and soap should have been issued every 10 days. Every month the prisoners were entitled to 5 packets of tobacco, 5 boxes of matches, 5 packets of cigarette paper and a ration of tea. Every day they should have received a hot meal, containing the prescribed amount of particular ingredients per person. In practice these rules were not adhered to.

The food provided for prisoners in the Kozielsk camp corresponded more or less to the "normal" prisoners' diet in Soviet labor and correction camps before the outbreak of war between the U. S. S. R. and Germany. In one respect the Kozielsk camp differed considerably from "normal camps"—in that, that not everybody was forced to work.

According to the camp regulations, all officers under 60 years of age should in principle be used inside the camp for manual tasks connected with the upkeep and running of it. These regulations were not always observed, because parties of officers were sometimes sent outside the camp to dig peat, load barley, wheat, salt and cement into trucks, carry coal, etc.

When the officers drew attention to international conventions and to the regulations posted up in the camp, the "regulations" were removed. In order to encourage the prisoners to go willingly to work outside the camp, a special "reward" was promised them in the form of a third helping of soup daily. On an average between 100 and 500 out of 5,000 prisoners went to work outside the camp each day. Conditions were particularly hard in winter on account of the lack of clothing and footwear. Many of the prisoners wore summer uniforms, not even possessing an overcoat. Only a few of the prisoners were supplied with Soviet winter suits lined with cotton wool. Others had been able to buy overcoats and warm clothes from the privates who were released. But this did not increase the numbers willing to work outside the camp as everyone was anxious to preserve their clothes, which were quickly ruined by hard manual labour.

#### 15. Kozielsk II. F. Prisoners appreciation of their legal situation and discussions with the camp authorities.

As mentioned above (see pages 6-12) Polish soldiers did not realise that their own situation and legal status were affected by the Soviet "legal interpretations" of the dissolution of the Polish State. Most of them considering themselves to be ordinary prisoners of war, invoked the conventions and standards of international law.

The comparatively large number of distinguished lawyers in the camp supplied their fellow prisoners with arguments to be used in discussions with the camp authorities.

The most far-reaching argument was put forward by the officers of the Pinsk<sup>1</sup> flotilla, who had been in September 1939 officially negotiating with the Soviet military authorities in Kostopol for permission to evacuate Polish soldiers and their

<sup>1</sup> The town in Eastern Poland on Pripet river.

families to neutral countries. They received at that time the assurance of a Soviet Colonel that the life and property of the personnel of the Naval Headquarters of the Pinsk Flotilla and their families would be protected, that officers willing to work would eventually be given employment and that the remainder would be set free. This verbal "agreement" shared the fate of the terms of the Lwow capitulation (see page 10), and 26 officers of the Pinsk Flotilla found themselves in the Kozielsk camp. Here they reopened "negotiations", explaining to the camp authorities that, in the absence of a state of war between Poland and the Soviet Union, Polish servicemen could not be kept in captivity and treated as prisoners of war, but should be given their freedom and the right to leave the U. S. S. R. According to one of the officers, the higher Soviet officials' reply to this argument was that, as the Poles were resisting Soviet troops, they would have to take the consequences; lower officials—said the same officer,—“did not conceal the fact that they regarded us as enemies of the people, representatives of a hated caste”. (Witness No. 4.)<sup>1</sup>

Polish doctors, not questioning the general right of the Soviet authorities to retain captured Polish combatants in prisoner of war camps, handed to the camp authorities a special petition, signed by over 300 of them, calling attention to the international conventions and regulations regarding medical personnel and asking to be sent back to Poland in order to help the people there who were deprived of medical attention. This petition had no effect, nor did the protests of several doctors against the heavy physical work and cleaning of latrines which they were forced to carry out in common with the other prisoners. The protesting doctors, having appealed to the generally accepted standards of the civilized world, received from representatives of the camp authorities the laconic reply that bourgeois rules were not observed in the Soviet state.

Mr. Pohorecki, President of the Supreme Court and Chairman of the Polish Codification Commission, pointed out, in a conversation with General Zarubin, that he had no connection with the services or with any military organization and asked on what legal grounds civilians were detained by the Soviet authorities in prisoner of war camps. From the usually very polite Soviet General he received the harsh reply that Mr. Pohorecki must finally understand that, to the Soviet authorities, the fact that he was President of the Supreme Court of a bourgeois state was quite sufficient ground for keeping him in prison.

#### 16. *Kozielsk II. G. Investigations.*

It can be seen from the above examples that, although in some respects the inmates of the Kozielsk camp were treated as prisoners of war, in reality the Soviet authorities regarded them rather as political criminals (See pages 6–12). As the severity of the "punishment" depended on the degree of "guilt" and "social danger" of each individual, so both of these factors had to be established during the period of confinement in the Kozielsk camp.

This was in theory the reason for the "interrogation" of Kozielsk prisoners by numerous members of the N. K. V. D. Investigation Branch over a period of nearly six months. Officers who survived Kozielsk emphasise that to the great astonishment of the prisoners—who were never able to understand their "legal position"—these interrogations were by no means normal interrogations of prisoners of war, confined to purely military information, but were rather of a political and social character, of the kind usually employed in the case of persons accused of grave political crimes.

Each of the interrogated prisoners were accused of the "crime" of serving in "bourgeois" Forces and taking part in the "world counter-revolution" against the Soviet Union. The interrogations were further used to discover which of the prisoners were "qualified criminals"; these were the people who had taken part in the Polish-Soviet war of 1920, the officers of the Intelligence Service and Military Frontier Guard and people engaged in anti-communist activities, particularly those who, in the opinion of the interrogators, were working for the "separation of the White Russian and Ukrainian Republics from the Soviet Union".

The Soviet authorities held that the degree of "social danger" depended on the social position, standard of living and family conditions of the "criminals", and was affected by their political outlook, which party, if any, they were members of, and their attitude towards, and relations with the communist party and the Soviet regime. The interrogators were therefore interested in all these questions and during the "investigations" tried to provoke discussions on general political and social subjects. In accordance with Soviet policy at that time, the inter-

<sup>1</sup> For the personal security of the witnesses and their families, their names are not given. The names are known to the author.

rogators' attitude was openly pro-German, anti-French and particularly anti-British. They threw blame for the outbreak of war exclusively on Great Britain, who, they alleged, had made Poland the excuse for attacking Germany. Towards Poland the interrogators took a very disparaging attitude, constantly affirming that "there is not and never will be a Poland", and consistently qualifying all references to Poland, her Forces, Government etc. with the word "former".<sup>1</sup>

In accordance with the established methods of "Soviet investigations", the interrogation of prisoners began with a demand for an exact account of the interrogated person's life history. The interrogations usually took place at night and continued for many hours without pause, often dragging on far into the next day. As at all Soviet investigations, the interrogations were often repeated several times and the same questions put in different contexts, with the object of disclosing any divergence in the answers. Not knowing the methods of Soviet investigators, the Kozielsk prisoners were amazed at the repeated interrogations on the same subjects and thought this was due to new orders from Moscow about the form and method of interrogation.

Beating and other physical means of compulsion were not used during the interrogations at Kozielsk to extort "true evidence" from the prisoners. The interrogators confined themselves to shouting and threats. If it was considered that stronger methods would produce the desired results, the persons concerned were removed from Kozielsk to other more isolated spots, which were more suitable for the "highest degree" of interrogation.

The official protocols of the interrogations were given to the prisoners to sign and then put in their "personal dossiers" (a form of records normally kept only in criminal investigations). Added to them were photographs of the prisoners (in profile and full face), taken in the Kozielsk camp, as well as their finger prints.

*17. Kozielsk II. H. Additional material for investigations—prisoners' correspondence with families and people abroad.*

As the purpose of the "investigations" was to produce the most exact "analysis" from every angle of each individual prisoner, in addition to the official protocol of their evidence, signed in each case by the prisoner concerned, various other material collected during the investigations was also attached to their personal documents, such as:

- a) reports of the camp authorities.
- b) Soviet officials' records of "private" conversations with prisoners.
- c) evidence of fellow prisoners and of "civilian criminals" arrested by the Soviet authorities in Poland.
- d) extracts from Polish documents acquired by the occupation authorities, as well as articles and works published in Poland by or about the interrogated person.
- e) extracts from biographical data published in Polish or foreign encyclopaedias and publications of the "Who's Who" type.
- f) letters from and to relations, friends, etc.

In order to obtain this additional material for the investigations, the camp authorities resorted to special "roundabout methods", one of which was to permit and even encourage the Kozielsk prisoners to correspond with their families and friends in Poland and abroad. The letters to and from the prisoners, which passed through the camp censorship, undoubtedly could and did supply extremely valuable material for the cases against them.

At the end of November 1939, the prisoners were informed that once a month they could send letters through the camp authorities to persons residing in the Soviet Union or abroad. Prisoners were forbidden to write about themselves, the fact that they were prisoners of war and in a prison camp, or of what they saw and heard there; but they were permitted to write about their own health and ask for news of their families and personal affairs (Witness No. 3). It should be emphasised that prisoners detained at Kozielsk were not forbidden to mention in letters to their families the names of fellow-prisoners and friends who were with them in the camp.

The prisoners were instructed to give their address as: Kozielsk, Province of Smolensk, Post Box No. 12. Some of the letters from the camp were stamped "Gorki Rest House".

<sup>1</sup> When one of the Kozielsk prisoners was put under arrest for contributing to the paper published in the camp and for organising discussions, this fact was announced in the camp orders for the information of all prisoners in approximately the following words: "The former Lt. Colonel Chalacinski of the former Polish Army has been sentenced to 10 days arrest for patriotic activity on behalf of the former Poland."

In this connection the question arose of payment for stamps. Polish servicemen captured by the Soviets naturally had no Soviet money, and the Soviet authorities did not recognise Polish money, of which some officers had large sums.

Likewise; the foreign currency (dollars, francs, pounds) which a few of the prisoners possessed could not be exchanged, and if it was found when the prisoners were searched it was taken away to be "deposited" or simply confiscated. Since, therefore, none of the prisoners possessed any Soviet currency to pay for stamps, it was impossible for them to send their letters. As every prisoner was anxious to send news of himself to his family and to find out what happened to them, agitation and despair reigned in the camp on account of the lack of roubles. Demands for roubles were made under the international conventions, concerning the payment of P. O. W.s, but these were refused. General Zarubin however informed a special delegation of prisoners that roubles for stamps could be obtained by selling to the Soviet authorities personal possessions of any value which the prisoners had concealed when they were searched. In a short time, representatives of the Soviet Jewelry Trust arrived at the camp to buy, at fixed prices, watches, fountain pens, automatic pencils etc. In this way the prisoners obtained the much desired roubles and were able to send their letters.

Between November 1939 and April 1940, each prisoner at Kozielsk sent 2-5 letters to his family, thereby facilitating the Soviet authorities' task in formulating a case against himself. In many cases, when sending news to their families, prisoners were compelled to reveal their real names and other personal details to the camp authorities instead of the pseudonyms and false addresses which they had at first given. The authorities also obtained valuable information concerning officers' families, frequently hiding in Soviet-occupied Poland, in order to avoid the common fate of such families—deportation to the East.

The prisoners' families, happy to get their first, and, as they thought, good news of their relations, did not limit themselves in the number of letters they sent to the camp. They wrote often and, in spite of their caution in the actual wording, unconsciously supplied the investigating authorities with valuable information regarding the family and social environment of the prisoners concerned, the moral of members of the family etc. As all correspondence was strictly censored, many prisoners were summoned to special "chats" on account of the contents of letters they had received.

In general the Soviet authorities regarded the maintenance of any relations with foreign countries with great suspicion, considering it a proof of contact with foreign intelligence services. Another form of provocation must therefore be recognized in the granting of permission (as from January 1940) to write letters abroad. Prisoners were encouraged to do this by vague suggestions, that they may possibly be allowed to leave the Soviet Union for neutral countries.

In addition to official interrogations and the "discussions" on general political and social subjects provoked during these interrogations, during the whole period of their detention in the camp the prisoners were carefully observed by numerous N. K. V. D. personnel and in particular by the so-called "politruks" (political officers). Many of them engaged individual prisoners in "friendly conversations", showed them small marks of favour and assured them of their personal friendship and sympathy, thereby attempting to win their confidence and establish a certain intimacy. Every unguarded word spoken during such conversations was carefully noted and often had far-reaching consequences.

In order to obtain detailed reports of conversations among the prisoners themselves, the camp authorities recruited agents from among the inmates. This recruiting took place either during official interrogations or in connection with attempts to organise communistic propaganda among the prisoners. The small success of this propaganda in the first months of captivity was to a certain extent connected with the fact, that few prisoners were willing to spy upon their comrades. But, from among five thousand people the Bolsheviks were obviously able to recruit several individuals for their secret service.

#### 18. Kozielsk II. 1. Communist propaganda and its effects.

Attempts to spread communist propaganda among the Kozielsk prisoners were closely connected with the cultural life and social activities organised by the camp authorities.

On arrival at the camp, officers were immediately confronted with a large placard on which several articles of the "Stalin Constitution" were written in Polish. These articles guaranteed to Soviet citizens "civic rights and privileges unknown in bourgeois countries". Amongst others, Article 124 of the Constitution was quoted, which stated that "freedom of worship and freedom to engage in anti-religious propaganda is allowed to every citizen".

In the camp there was a special club building, equipped with a film projector and screen, a library, half-broken piano, a few old billiard tables, chess and draught boards. But, as the club room was not heated during the hard winter of 1939-40, it was not very much frequented by the prisoners. Only the films shown there several times a week attracted a large number of people. They were exclusively Soviet films, spreading communist propaganda, mostly old and worn out. Once during the showing of an anti-religious film a considerable part of the audience, whose religious feelings were outraged, left the room as a demonstration. After that the doors were locked during performances. While the prisoners were at Kozielsk, Soviet entertainers from Smolensk once or twice appeared on the stage of the club.

The camp library was not well stocked. It consisted exclusively of Russian books—political propaganda and fiction. The better works of Soviet literature were few in number, and most of the fiction was didactic propaganda.

Every ten days or so a "travelling bookstall" called at the club. Here, too, political propaganda pamphlets predominated. Current political news was heard from loudspeakers installed in the camp which did not always work properly. A few copies of the Soviet newspapers, "Pravda" and "Izvestia" were available. From time to time the camp authorities provided a communist newspaper in Polish entitled "Głos Radziecki" (The Voice of the Soviet), but it was not popular among the prisoners, if only because of the excruciatingly bad Polish, often difficult to understand.

From time to time the camp "politruks" (political officers) arranged talks devoted chiefly to the excellence of the Soviet regime, its achievements in the cultural and economic field, and to the rottenness and decadence of bourgeois states, particularly Poland, which was always qualified by the adjective "former", as mentioned above. At first these talks were boycotted by the majority of prisoners, sometimes the audience heckled the speaker and provoked discussions, but in the end they resigned themselves to listening with the thought that the "lecturers" were paid for their work and had to say what they were told.

#### 19. *Kozielsk II. J. Religious, cultural and social life at Kozielsk.*

With a few exceptions, the morale of the prisoners at Kozielsk appeared to be good. Firmly believing in the ultimate victory of justice and trusting implicitly in Poland's Western Allies, the prisoners hoped for a quick release from Soviet captivity and the granting of facilities either to return to Poland or to make their way through a neutral state to join the forces fighting in the West.<sup>1</sup>

Regarding their captivity as bitter but temporary necessity, the prisoners did everything in their power to organise their life on the best possible lines, showing great initiative and ingenuity.

Soon after their arrival at the camp, having seen the quotations from the "Stalin Constitution" painted on enormous placards (see page 38) the prisoners began to put crucifixes in the rooms and organised morning and evening prayers. The camp authorities, amazed at this, explained to the people concerned that although Article 124 of the constitution allows "freedom of worship" to all citizens. Article 126 of the Russian penal code forbids "the holding of religious services in any state or social institution or establishment and the placing of any kind of religious statues or effigies in such an institution or establishment".

As in practice the penal code takes precedence over the "Stalin Constitution", prisoners in the camp, which was a "state institution", were denied "freedom of worship". Nevertheless the religious life of the prisoners flourished in secret.

While there were a considerable number of priests in the camp (see pages 22-22) they celebrated Mass in strict secrecy, in the presence of relatively small groups of trusted prisoners, and were generally very active. "The celebrating of Mass by our prisoner priests, who also heard the prisoners' confessions, had to be carried out in secret, as in the catacombs in Rome" (Witness No. 5). "Father Wojtyniak, Chancellor of the Polish Council of Bishops, once celebrated Mass with a host given him by a Soviet citizen, also a Catholic priest" (Witness No. 9). These activities caused the camp authorities, who had their "eyes and ears" among the prisoners, to take reprisals against the priests and finally led to the removal of all priests from Kozielsk. During their detention at Kozielsk, lasting less than

<sup>1</sup> A rumour circulated in the camp that General Zarubin himself had said to one of the prisoners. "You have too many protectors, so you cannot go". The prisoners interpreted this remark as meaning that Britain and France did not want them to be returned to German-occupied Poland, as they were anxious to get them to the West. It was even said that Britain had asked the Soviets to send the Poles to the West and had offered to pay the expenses of their detention in Russia and that the Soviets were bargaining over the price. Rumours of this kind, which made the prisoners feel that they were an object of concern to the outside world helped considerably to keep up morale in the camp.

two months, three priests were sentenced to camp arrest for performing religious practices.

In spite of the removal of priests from the camp just before Christmas, the prisoners made every effort to hold the feast in the traditional Polish manner. Dr. Wroczyński, as the head of a "kitchen" commission, officially approached General Zarubin with the request that a Christmas Eve supper be arranged for the prisoners, with courses of fried fish and imitation Christmas cakes in the form of sweet, white bread. Although according to camp rules prisoners were entitled to sugar and white bread, the "cake" suggestion was rejected by General Zarubin on the grounds that sweet bread was too expensive for the camp. But fried fish was provided for the prisoners on Christmas Eve—for breakfast. They kept it until evening, and ate it rather gloomily and dejectedly when the first star appeared. After supper, Christmas carols were sung in all the living quarters, frequently interrupted by the arrival of representatives of the camp authorities, trying to discover the initiators of this breach of the Soviet penal code. For making a speech in one of the largest residential blocks on the meaning of Christmas and the need for endurance, Lt. Colonel Chalacinski was condemned to 14 days close arrest.

A similar punishment was inflicted on the "senior" of hut No. 10, Major Skoczyński, who, together with the well-known Polish writer Jim Poker, started a "publication" devoted to camp life and affairs, a literary and informative paper of a satirical nature entitled "The Pavilion X Bulletin". The editors succeeded in bringing out several handwritten numbers of this paper, which was a great success among the prisoners, passing from hand to hand until, after special investigations by the camp authorities, publication ceased with Major Skoczyński's arrest.

It should be emphasized that the Kozielsk prisoners were forced by necessity to adopt conspiratorial methods. At first they tried to organise their cultural life with the knowledge and approval of the Soviet camp authorities. During their first months at Kozielsk they requested permission to organise amongst themselves, in the camp club, courses in foreign languages and popular lectures and discussions. Although there were among the prisoners a considerable number of people with a good knowledge of Western European languages and even some professional language teachers, the camp authorities, after a great deal of talk about the difficulties of organising well run courses, did not agree to instruction being given by the prisoners themselves. Instead they promised to arrange for courses to be organised by Soviet specialists who would be brought to the camp for this purpose. The final outcome was that no official courses in foreign languages were arranged at Kozielsk, so the prisoners were forced to arrange for secret instruction in small groups.

The Soviet authorities attitude to the lectures, which were to have been delivered in the first instance by professors of Polish universities and colleges interned in the camp, was different. In principle they did not refuse their consent to these lectures, but stipulated that the text of every proposed lecture should be previously handed to them in writing, so that they could send it to Moscow and obtain the approval of the central authorities. As in practice this procedure eliminated the possibility of holding lectures officially, negotiations with the camp authorities were discontinued. Instead, unofficial "chats" were held almost daily in different huts. To avoid endangering speakers and audiences, the subjects chosen for discussion were as far as possible non-political.

On the whole the prisoners were optimistic about their future. Not realising their situation nor treating seriously the investigations conducted by the camp authorities and the threats uttered during these investigations, they hoped to leave the camp and the U. S. S. R. before long and go either to the West, to continue the fight against Germany, or home to Poland. Various statements and incidents seemed to indicate the probability of their departure in the near future. The camp authorities were said to be drawing up a list of prisoners according to the provinces in which they lived, so as to sort them out for the journey; the convoy had apparently arrived; apparently, too, the railway carriages were already waiting at the station. When, therefore, the final decisions as to the fate of the prisoners had at last been taken, either on the strength of the particulars collected at the investigations or of these data, and the camp authorities started the liquidation of the camp, the prisoners were not surprised.

#### *20. Kozielsk II. K. Liquidation of the officers' camp at Kozielsk.*

For some time the numbers in the Kozielsk camp had been slowly diminishing. At the end of December 1939, a group of priests was taken away (see pages 22-23), and a few weeks later about twenty Polish officers of Georgian origin were also removed.



Then, in March 1940 over a hundred other ranks, who had remained there from the first period, left, among them about 20-30 cadet officers. At least some of them were really set free and sent home. Also officers were taken away singly or in small groups as a result of the facts brought to light during the interrogations or revealed in letters and conversations.

In talking with prisoners, representatives of the camp authorities emphasised the necessity of evacuating the camp in view of the overcrowded conditions and danger of epidemics.

When the official evacuation from Kozielsk was begun at the beginning of April 1940, all the prisoners were convinced that they were going to Poland. This theory was semi-officially confirmed by representatives of the camp authorities. The Commandant's adjutant for instance, N. K. V. D. Captain Alexandrowitch, asked by one of the prisoners where they were being taken, answered: "To the West, nearer home". To another prisoner (Witness No. 2) the same officer said that, at a specified point on the "frontier" between Soviet and German "spheres of interest", his camera, hitherto deposited with the camp authorities, would be returned to him.

On the strength of these rumours spread by camp officials, an atmosphere of joyous excitement reigned among the prisoners. Only a few individuals had disquieting premonitions. There was further some apprehension among the prisoners from Soviet-occupied Poland who were afraid that on leaving the camp and returning home they would lose the immunity accorded them by international law as P. O. W.s and that consequently the local Soviet authorities would "deal with them in their own way".

The evacuation which began on 3.4.40 was carried out in the following way. In the morning, an N. K. V. D. official went through all the huts, with a list, from which he read out the names of all those who were to leave that day, instructing them to report immediately at the club building, taking with them all their possessions. In the club another list of departing prisoners was drawn up. Prisoners gave up all government property issued to them in the camp, and having been supplied with food for the journey were taken to a special hut, No. 21, for examination of belongings. After that they were immediately conducted out of the camp grounds and loaded into lorries, transported to a railway siding near Kozielsk station and transferred into railway trucks.

The departure of the fourth group, which included 3 Generals (Minkiewicz, Bohatyrewicz and Smorawinski) and several other senior officers, was marked by a special celebration. The camp authorities held a farewell reception after which officers remaining in the camp formed a guard of honour and cheered the departing officers, who left the camp in high spirits, saying that they hoped those remaining behind would soon follow them.

Bread and herrings were supplied as provisions for the journey, wrapped in clean, white paper, which, in itself cause a considerable sensation. The effect was increased by the fact, that the officials examining their belongings wore clean white aprons and did not conduct the search very thoroughly. A slightly puzzling phenomenon was the fact that officers supposedly being transported to "freedom" were conducted from the camp by a strong escort (armed and accompanied by dogs); but this was put down to the common tendency to exaggerate everything, found in the U. S. S. R. and the transport commanders' fear of their being responsible if they "lost" one of their charges, for all whom they had had to sign a receipt.

Each convoy was composed of persons individually picked by the Soviet authorities. The prisoners tried in vain to discover the principles governing the choice of people to be removed from the camp. During the six months spent at Kozielsk, all possible particulars had been taken many times; rank, profession, education, knowledge of foreign languages and countries, place of birth, permanent residence etc. But the selection was not based on any of these. "Ranks were just as mixed as were occupations and domiciles", stated Witness 6. The realisation of this fact by the prisoners gave rise to a certain anxiety among them, since they began to doubt the truth of the theory that they were being taken away from Kozielsk to be freed, or exchanged for Polish prisoners in German hands. The camp authorities, when questioned about this, explained that the sorting out of prisoners according to their permanent domiciles would take place later in special transit camps, to which prisoners from Kozielsk would first be taken. The intervals of several days which sometimes occurred between the departure of convoys was explained by the temporary over-crowding of these camps.

The prisoners observing that the same N. K. V. D. men frequently escorted consecutive convoys, came to the conclusion that these "transit camps" could not be very distant from Kozielsk.

Anxious for details of the fate awaiting them, those remaining behind in the camp asked departing prisoners to leave some indication as to their destination in the railway trucks for the benefit of the next party.

As the composition of each convoy appeared to be settled at random, some of the prisoners tried to arrange not to be separated from their friends and relations. The camp authorities, however, refused to comply with their requests, saying that they did not influence the composition of the lists, which were drawn up by the central authorities in Moscow. The prisoners did not believe this, and ironically remarked that the lists were more likely to have been "drawn up by a parrot."

Doubts as to whether departure from Kozielsk really meant freedom were increased by rumours circulating in the camp to the effect that later convoys were treated in a less "elegant" manner than the fourth and other early convoys, that escorts were treating the prisoners very severely, even brutally, and that either during an inspection or whilst being put into a lorry, one of the prisoners had been bayoneted and so on. In spite of these rumours by the end of April the 200 or more prisoners whose names had been consistently omitted from the lists became very dejected: "Those left behind were concentrated in one corner of the camp, in block No. 10. Silence and boredom reigned in the camp . . . The only staff officer left was Admiral Czernicki, who lived in one room with Major Kopec, a doctor. We were depressed because we were still there. But one of the Soviet officials whispered to a prisoner: "Do not complain. The later you go the more thankful you should be." (Witness 6.) This remark at once spread throughout the block.

After an interval of nearly two weeks, convoys began to leave again. On May 10th about fifty prisoners were taken away, probably one truck-load. On May 11th, Vice-Admiral Czernicki left with a similar batch of officers. On the evening of the same day, hut No. 10 was separated by barbed wire from the rest of the camp. About 100 prisoners who remained in this hut, thinking that they were specially ill-treated by the Soviet authorities, were "extremely depressed." (Witness 6.)

On the following day, May 12th, 1940, these remaining prisoners were awakened at 7. a. m. and ordered to get ready for a journey. All were to leave but nine prisoners, whose names were read out from a special list. When this convoy had left, the officers' camp at Kozielsk (Kozielsk II) was liquidated.

The convoys were removed from Kozielsk in April 1940, in the following order:—

*Table of convoys which left Kozielsk in April and May 1940*

3rd April.....	62 (74)	men including among others.	J. Niemczynski, Wojciechowski.
4th ".....	302 (342)	ditto.....	
5th ".....	280	ditto.....	Fryga, Burdzinski, Westerski, Woloszyn
7th ".....	92 (110)	ditto.....	Gen. J. Minkiewicz, Gen. Smorawinski Gen. Bohatyrewicz, Col. A. Stefanowski, Major A. Solski. W. Kruk, Zalasik.
8th ".....	277	ditto.....	
9th ".....	270	ditto.....	
11th ".....	290	ditto.....	W. Wajda, B. Wajs, Boguslawski, Przygodzinski, Iwanusko, Prof. Pienkowski, O. Ulrichs, S. Skupien.
12th ".....	204	ditto.....	Kotecki, Ochocki.
15th ".....	150	ditto.....	Col L. Pawlikowski, Bilewski.
16th ".....	420	ditto.....	Comdr. L. Moszczenski, Capt. S. Trojanowski, Znajdowski, Soltan.
17th ".....	294	ditto.....	Lt. J. Roguszozak, Liljental, Majewski.
19th ".....	304	ditto.....	J. Jozwiak, J. Handy, B. Leitgeber, Rumianka, Domania, Rzazewski.
20th ".....	344	ditto.....	L. Kowalewicz, Prausa, Jablonski, Prof. Morawski, Paciorekowski.
21st ".....	240	ditto.....	Dr. J. Jakubowicz, Capt. J. Trepiak.
22nd ".....	120	ditto.....	J. Ziecina.
26th ".....	150	ditto.....	(All sent to Pavlishtchev Bor and Gria zovietz—see below).
27th ".....	200		
29th ".....	300		Prof. S. Swianiewicz, Dr. Tucholski, Lt. M. Zoltowski, Lt. Korowajczyk.
Total approx..	4,309		

In May 1940 the last three convoys left Kozielsk.

10th May, approx.....	50 men.
11th May, ".....	50 "
12th May, ".....	95 "
Total approx.....	195

(The figures are based either on the reports of men who survived (in case the reports do not agree with each other, the figures are added in brackets) or on the notes, diaries etc. found on bodies discovered in mass-graves at Katyn. The figures based on reports, being based mainly on memory of reporting men, should not be taken as completely accurate).

Out of those convoys totalling 4,504 men only the one which left Kozielsk on April 26th (150 men), one removed on May 12th, (95 men) and a few people detached from various convoys en route, have been found at the camps of Pavlishtchev Bor and Griezovietz (see below p. 113) also a diagram at the end of PART ONE). The remaining number approximately 4,249 officers and men have not been accounted for at all.

**22. Kozielsk III (July 1940–June 1941). Camp for former Polish internees from Lithuania, Latvia. A. General description.**

At the time of the U. S. S. R.'s move against Poland and the occupation of the province of Wilno by the Red Army, most of the few Polish troops in that area and some detachments which had been opposing the Soviet armies in the neighbourhood of Grodno, crossed the Lithuanian frontier and were interned by the Lithuanians. A very small number of Polish units in the North of Wilno province retreated into Latvia. During the winter of 1939/40 the remainder of the Polish troops who had been carrying on for some months a "little war" against the Soviet occupiers in the areas of Wilno, Grodno and Suwalki, also went to Lithuania.

In the neutral Baltic States Polish soldiers were disarmed and interned in various camps; where they were treated as combatants of a belligerent State. The interned Poles escaped en masse either to join the Polish Army in France, or to return home to Poland. A certain number were officially released from internment on grounds of ill-health, or for other reasons. Consequently the number of Poles interned in the Baltic States was greatly reduced, falling from more than 10,000 in the autumn of 1939 to less than 5,000 at the beginning of 1940.

When in June 1940, the Red Army occupied the Baltic States, the deportation of interned Poles to the interior of Russia began even before the official "incorporation" of Lithuania and Latvia into the U. S. S. R. One of the places to which these deportees were sent was the Kozielsk camp, which had been emptied of Polish prisoners of war in the middle of May.

On 13.7.40 interned officers from Kalwaria Suwalska were brought to Kozielsk. Subsequently, at varying intervals up to the end of August, 1940, more convoys arrived there. They were composed of officers from Latvia, cadet officers, N. C. Os. a few privates (mostly Military Police) and members of the civil police force (officers and men) interned in Lithuania and Latvia. A certain number of civilian Poles interned in Latvia were also brought there.

After the arrival of these "internees" at Kozielsk, the Soviet authorities immediately set themselves to discover which of them had been officers in the Intelligence Service, senior police officers and "partisans" operating against the Red Army since September 1939. These, together with a dozen or more persons also accused of special "crimes" against the Soviet, were removed from the camp, presumably to prison.

During the autumn and winter months of 1940 a few Polish officers who had been up till this time in Soviet prisons, were brought to Kozielsk and the cadet officers, N. C. Os. and the majority of privates capable of work were taken away. On October 11th General Przewdziecki and 20 officers, apparently chosen at random, were removed from the camp. After all these transfers there were in the camp about 2,500 men, mostly police, about 800 Army officers few hundred cadet officers and other ranks and some dozen civilians.

When these Polish internees arrived at Kozielsk they found that the previous inmates had left many inscriptions in Polish on the doors, windows and walls; in particular the dates of departure of the various groups of prisoners from Kozielsk were discovered on the walls of the kitchen. This calendar ended on 10.5.40, beside which date a sentence, similar to the following was written: "To-day the last group of 100 officers left. Direction unknown."

Some of the N. K. V. D. staff from the preceding period were still there and continued to carry out their duties. The most important role in Kozielsk III was played by 1st Lieutenant Dymidowitch of the N. K. V. D., who was in charge of the so-called "politruks" (political officers).

In the first weeks after their arrival at Kozielsk the internees were summoned to the camp headquarters where the N. K. V. D. political officers made detailed notes of their particulars. These particulars were afterwards "supplemented" in the course of additional interrogations (called in Russian doprosy). In contrast to the "interrogations" of the officers in the preceding period, these interro-

gations were in the nature of attempts of individual communist propaganda with the object of recruiting adherents and agents by means of a clever combination of discussions and threats, rather than proper investigations.

Simultaneously with the individual propaganda which took place during the "supplementing of evidence", general communist propaganda was carried out in the camp through "cultural and educational" activities.

The internees were supplied with a considerable number of communist newspapers published both in Russian and in Polish. In 1941, there appeared in the camp a large number of copies of "Nowe Widnokregi" (New Horizon), a literary and social monthly paper, which Wanda Wasilewska had started to publish in Lwow<sup>1</sup> as an organ of the Union of Soviet Writers.

### 23. *Kozielsk III. B. Work—Liquidation.*

Although the Kozielsk internees were not in general forced to work, only staff officers were officially exempt. Junior officers had to look after themselves and keep their living quarters clean and tidy. Internees from the ranks and from the police force were seldom employed outside the precincts of the camp.

In the spring of 1941 the Soviet authorities decided to make use of the internees for public work. At the end of April and the beginning of May all privates and policemen fit for work left Kozielsk in two convoys.

These convoys went North to the White Sea, from whence the men were shipped to the Kola peninsula. There the internees were employed on building roads and aerodromes in the area of the river Ponoi. After the outbreak of the Russian-German war, they were brought back to the Central Russia and put into camps at Talitza and Yugov and subsequently handed over to the Polish Armed Forces in the U. S. S. R. (see following pages). Reports of these movements of former inmates of Kozielsk reached the Polish Embassy in Kuybysheve and gave rise to the belief, held for a certain time in Polish circles, that *prisoners of war* from Kozielsk Starobielsk and Ostashkov had been deported to the far north of Russia. (See PART TWO.)

The officers and comparatively small number of other ranks and policemen, considered Soviet authorities as unfit for work, remained at Kozielsk until 29.6.41, when they were loaded into trucks and transferred in one convoy to the N. K. V D. camp at Gрязovietz, near Vologda.

### 24. *Fate of prisoners of war deported from Kozielsk II, (namely October 1939–May 1940 Officers' P. O. W. Camp). A. General observations.*

Owing to the disappearance of 97% of the Polish officers from Kozielsk II, there was a long time no real evidence as to their fate after deportation from Kozielsk.

Only the people from two convoys which left Kozielsk on 26.4.40 and 12.5.40 appeared again as it was previously told. From the remaining convoys very few individuals survived, and these can only give information about the fate of the rest of the people in the convoy up to the moment when they were separated from them. The rest of their report concerns only their own individual experiences. As Polish prisoners of war deported from Kozielsk were treated as prisoners and transported in special prison trucks, with compartments carefully isolated from each other, the information gleaned by anyone individual about his fellow prisoners was necessarily very fragmentary. They knew only what happened in their own compartment up to the time of their leaving the convoy. It is difficult for them to give any information even about what was happening in neighbouring compartments. Moreover, trucks could be detached and sent to a different destination or individuals could be taken out of a compartment without the knowledge of someone in another truck or compartment.

In the absence of detailed information about the greater part of the convoys, a full account will be given below of the experiences of those who were in the convoys of 26.4. and 12.5.40, and fragmentary reports of the fate of other convoys.

These reports will also provide an illustration of the treatment generally accorded to Polish officers by the Soviet authorities. Although these officers reappeared after a couple of years and managed to leave the U. S. S. R. there is every reason for thinking that the treatment and final fate of the other officers was, if anything, worse.

When, in 1943, the Germans revealed the existence of the ill-famous Katyn graves, officials of the Polish Red Cross, were permitted to assist at the exhumation of the bodies (See PART THREE). As some of these officials were connected with the Underground Movement, the Polish Government in London were able to

<sup>1</sup> South-Eastern Poland, occupied by U. S. S. R. in 1939.

acquire some of the documents (original or copies) which were found on the corpses. Among these were diaries in which the experiences of the prisoners after leaving Kozielsk had been recorded. The fact that these diaries record detailed descriptions of everyday life, at Kozielsk, which are in complete accord with the descriptions given by surviving officers is an undeniable proof of their authenticity.

*25. B. Experiences of prisoners of war deported from Kozielsk II, before the liquidation of the camp was begun.*

It has already been mentioned that some officers were deported from Kozielsk, either singly or in small groups before the liquidation of the camp was begun in April, 1940. The fate of these individuals after leaving Kozielsk varied in detail but was fundamentally the same; prisons and "interrogations," "sentences" and their execution.

A description will be given of the experiences of those officers who were removed from Kozielsk on 8.3.40, without reference to the fate of the officers taken away singly from Kozielsk, or to that of the group of the Army chaplains who left on 23.12.39 or of the group of Polish officers of Georgian origin removed in the middle of January, 1940.

In the evening of 8.3.40 soldiers of the camp guard began to collect officers from various huts, whose names were on a short list. After these people had been identified by "seniors", the N. K. V. D. soldiers ordered them to collect their possessions immediately and pushed them singly and in a brutal manner to the camp administration building. Here the prisoners were rather superficially searched and all state property was taken away from them. In groups of two or three, each group escorted by two N. K. V. D. men armed with revolvers, they were conducted to the railway station about 8 miles distant. As the temperature was minus 20 degrees centigrade it was difficult to march, laden, along the dark, rough paths, covered with frozen and slippery snow, particularly as the guards were constantly prodding the prisoners on. When an old retired colonel began obviously to lose his strength, the guards shoved him brutally on, abusing the "officer of the White Guard," who "cannot walk now, but was last year able to march with the troops opposing the Red Army" and jeeringly urged the "old warrior" to regain his feet and hurry to his "little wife," whom he would see tomorrow.

On arriving at the station after a very rapid march, the prisoners were locked into a prison truck in the same groups of two or three, each group in a separate compartment. One of the prisoners described the prison truck in these words: "The Bolsheviks' official name for such a truck is 'saka' (abbreviation for 'Sakluchenny,' i. e. imprisoned). The truck which is of 'Pullman' type has windows, covered by an iron grid on the corridor side only. Doors lead from the corridor to widowless compartments and subcompartments. In addition to the iron bars, these compartments can also be closed by iron doors, which, when shut, exclude all light. The corridor is constantly patrolled by armed soldiers of an N. K. V. D. escort, young men recently conscripted, all members of the 'Komsomol' (Communist Youth Organisation), and political fanatics who often treat the prisoners ruthlessly and cover them with abuse.

The N. K. V. D. Lieutenant in charge of the convoy was not unpolite to the prisoners, some of whom were still under the delusion that, they were being liberated and "sent home" in exchange for prisoners in German hands. But to the more realistic ones the journey in prison trucks with a strong escort rather suggested that they were regarded as "important criminals" on their way to jail.

As the loaded truck remained stationary at Kozielsk for the best part of 24 hours, before it was hitched to a goods train, the rapid march to the station was quite unnecessary. After travelling for three days, during which time the train was more often standing in stations than moving, the prisoners having travelled only about 130 miles arrived at Smolensk. Here at some distance from the station they were unloaded from the truck and formed into ranks. One of the guards ordered them to march in formation, without speaking to each other or to any passer-by, to look straight ahead and not to break ranks, threatening, that if anyone took even half a step sideways this would be regarded as an attempt to escape and the guards would open fire immediately. After crossing the railway yards, the prisoners were halted in front of a closed gate, leading on to a road, and were ordered to kneel down in the deep, dirty snow. After a few minutes a black, closed bus arrived and the prisoners were ordered to stand up in turn and get into the bus.

The bus was specially designed for transporting prisoners. A narrow corridor ran up the centre, on both sides of which were many very low and narrow doors. When a prisoner stepped in to the corridor, he was ordered by an N. K. V. D.

standing there, to enter, backwards one of the cabins. These compartments were unlit and so small that the prisoners were forced to adopt a crouching position. This was the prisoners' first experience of the "tshorni voron" (black crow), well-known to Soviet citizens. Some of the prisoners already extremely nervous on account of having been thus apparently especially picked out from the 5,000 other P. O. W's and very bewildered by the several days journey in what were to them hitherto inconceivable conditions and the constant abuse hurled at them by the guards, were reluctant to enter the dark, narrow holes, assuming that this was some unknown method of torture or even of execution. The guards however, pushed them in, and, after shutting the door, called out for the next prisoner.

As the prisoners were taken singly from their huts at Smolensk, conducted to the station and loaded into the train in twos and threes, they had no idea who their fellow-travellers were. They did not see them until their arrival at the Smolensk station. Just as during the journey every prisoner had tried in vain to puzzle out the reason for his deportation from Kozielsk by analysing his past life and particularly the period of imprisonment, so now in the bus each one tried to guess what the future held in store for him by analysing the composition of the whole group, in which everyone had one or two acquaintances. The group was; however, so mixed that there seemed to be no logical grounds for its composition.

There were altogether 14 officers in the group, including a retired Colonel named Stanislaw Lipkind-Lubodziecki, a public prosecutor of the Supreme Court, Colonel Starzynski, a cavalry officer and formerly Polish Military Attaché in Belgium; Captain Radziszewski, an officer formerly attached to the Military Replacements Office and Lieutenant Graniczny, a naval officer who had played an important part in the Polish rising against the Germans in Silesia after the last war.

After travelling for less than twenty minutes, the prisoners were unloaded in a small yard, surrounded by buildings with barred windows. Five prisoners were separated from the group and conducted to one of the buildings; the rest were ordered to re-enter the "tshorni voron". After a few minutes they were ordered out again and four more were put into the prison. Then the bus drove off with the remaining five.

Thus in the yard of the Smolensk prison on the afternoon of 13.3.40 the group of prisoners from Kozielsk was broken up.

Of the whole group only one prisoner has been heard of since, having succeeded in escaping from the U. S. S. R. This particular prisoner was one of the second group of four who entered the Smolensk prison.<sup>1</sup>

<sup>1</sup> His experiences, according to his report were as follows:

After waiting for about half an hour in the yard, the prisoners were taken to the prison office, from where two were taken to their cells without delay. The remainder had to wait another few hours. When the night was well advanced the latter were taken to the underground cellars and ordered to undress completely. They were then subjected to an exceptionally thorough personal search (even to the mouth and anus) during which articles of value, sharp instruments, papers, braces, belts, string etc. were confiscated. After another hour of waiting they were conducted to a brightly illuminated cell, containing two beds and two chairs. During the first night the prisoners were awakened several times by guards looking into the cell and instructing them how to sleep in prison (it is forbidden to cover hands or face with the blanket, to lie on the stomach or on the side; the face must be visible through the opening in the door (so-called "judas").

On the morning of the third day this Kozielsk prisoner was sent with a convoy of Soviet prisoners, but strictly isolated from them, first in a "tshorni voron" and then in a "zaka" (prison) truck to Kharkov.

In Kharkov the prisoners were refused admission, as the prison was already overcrowded, and were sent to Kiev. At Kiev the Polish prisoner was taken to the "interior prison of the N. K. V. D." in Korolenko Street. When handing him over in the prison office the guard stated that he had brought a prisoner-of-war from camp No. 13. During an examination similar to the one at Smolensk, the guard tore off the metal hooks from the collar of the Polish uniform, the iron rim and strap from the military cap, from which he also took the eagle (Polish National Emblem) saying "that bird has flown away from you". He was about to tear off all the metal buttons from the tunic, at which the prisoner protested violently afraid of catching cold in a buttonless uniform.

The "internal" prison was an investigation prison and the strictest isolation was enforced. When prisoners were taken through the corridors, the attendant constantly flicked his fingers and smacked his lips in order to give notice of his approach to other guards who might be conducting prisoners. In the case of a meeting, one of the prisoners was pushed into an empty cell, or, if there was none at hand, was made to stand with his face to the wall, being strictly forbidden to turn round. To prevent suicide attempts, the staircase was surrounded by string nets, so that when going up and down stairs the prisoners had to keep close to the wall.

The cells were searched every five or six days. In the presence of two guards the prisoner had to strip completely; his body, his personal possessions, his bedding, the windows, doors, floors and walls were examined and the radiators shaken. All this was carried out to the accompaniment of abuse and of vulgar jokes and jeers about the Polish uniform, Polish State and Polish Forces.

During the first weeks in prison, the prisoner's fingerprints were taken four times as well as his photographs full face and profile. On the eighth day he was taken out of his cell with his belongings, searched with extreme thoroughness, ordered to leave his possessions in another cell and conducted through internal passages to the N. K. V. D. building. Here the N. K. V. D. "investigator", Gusiev, informed him in the presence of two other members of the N. K. V. D. that the Soviet authorities possessed "incomplete, but concrete and very serious" evidence about himself and his activities, in view of which the only way he could save himself would be to confess his guilt and tell the whole truth. The investigator asked him when,



## Footnote 1—Continued

where and by whom he had been recruited for the Japanese Intelligence Service, what tasks had been given him and how far he had succeeded in carrying them out.

The prisoner, who since his departure from Kozielsk had been racking his brain for the possible cause of his removal, was amazed and disgusted by this fantastic accusation of spying for Japan. In answering he showed his disgust and was consequently abused by the "investigator", who called him "the servant of a capitalist state which persecutes the workers and peasants, exploiting them and sucking their blood."

After about twenty minutes "conversation", during which the prisoner, also adopting a somewhat harsh tone, categorically denied the accusations of espionage, the "investigator" said that the prisoner himself had declared in the Kozielsk camp that he went to tea at the Japanese Embassy in Warsaw. As the Japanese do not give tea for nothing, it was obvious that he must have done them some service. After giving this "damning proof", he ordered the prisoner to be taken away, advising him to think the matter over and refresh his memory about the whole of his work for Japan, so as to be able to give an account of it next time.

After this "interrogation", of which no official record was kept, the prisoner was taken to another cell, which was already occupied by another prisoner, a Soviet citizen charged with espionage for a foreign state—but not Japan. Numerous subsequent interrogations took place at night, but the attitude of the interrogators was less harsh and there was no further mention of espionage. On the contrary a very polite manner was adopted and during one of the interrogations the "investigator" even tried to tempt the prisoner, half-starved on prison fare, to tea with sugar and rolls with butter and sausage. The "investigator" appealed to the prisoner "not to obstruct the Soviet authorities in important matters of state", urging him to give them a detailed and accurate written account of his life and a description of the structure, organisation and competence of Polish courts as well as of the Siberian Association of which the prisoner had declared himself a member in his life sketch.

The discussion on the Siberian Association took up several long sessions, the "investigator" vainly striving to induce the prisoner to write that the object of this Association was to obtain information concerning Siberia for the benefit of the former Polish Government. All the prisoner's explanations that the Siberian Association was one of the associations of former combatants who were in Siberia during the First World War had no effect. During the thirteenth interrogation on 23.3.40, the "investigator's" assistant handed the prisoner an "indictment" bearing that day's date, charging him in accordance with Article 58 para 13, of the Soviet Penal Code, with serving the former Tsarist judicature and the military and civilian judicature in Poland. The "indictment" did not mention "espionage". The prisoner—a qualified and experienced lawyer—protested against the contents of the indictment and against the detention of a prisoner of war in a Soviet prison as if he were a common criminal, and referred to international laws and conventions. Whereupon, he was told by the Soviet official that the so-called Polish Army was an ordinary "White Guard Band", the U. S. S. R. was not interested in "foreign" or "bourgeois" laws and, that he was to sign a declaration to the effect that he had seen his indictment, adding that the prisoner would be able to lodge any objections to this indictment with the appropriate authorities.

At the next interrogation by the "investigator", the prisoner took advantage of the right to appeal against the indictment. In his appeal, which was prepared without the help of any legal textbooks, the prisoners pointed out that:

a) from 8.3.40 up to the day of receiving the indictment, i. e., for 1½ months, he had been deprived of liberty without any legal grounds.

b) the indictment of 23.4.40 was devoid of any legal foundations, since the fact of serving in the Tsarist judicature twenty years ago is not a cause for prosecution, particularly in view of the fact that the prisoner, as a Tsarist judge, served the cause of the future revolution, giving assistance to the P. P. S. (Polish Socialist Party) fighters, and after the outbreak of the revolution in 1917 was elected a member of the Soviets.

c) the services carried out by a citizen of a foreign state in his own country cannot form the basis for prosecution by a Soviet court, particularly as they had not brought against him any concrete charges connected with his service in the Polish judicature.

In conclusion the appeal asked for withdrawal of the accusation, and the sending of the prisoner, either to his permanent domicile in Poland or to a neutral country, or to a camp for Polish prisoners of war. The prisoner received no answer either to this appeal or to other similar representations, all of which were referred to the public prosecutor of the Ukrainian Soviet Socialist Republic, the public prosecutor of the U. S. S. R. etc. After the end of April 1940, he was no longer called for interrogation.

During the second half of August 1940, after a period of 3½ months spent in prison in extremely hard physical and psychological conditions, the prisoner was again summoned for "interrogation". This time he was brought before another investigator, with a very familiar face, who asked him: "have we not met before?"

In fact he was a man named Smarin, who as a "politruk" (political officer) in the Kozielsk camp during the winter of 1939/40, had been exceptionally "kind" to the prisoner, often entering into "private conversations" with him and thereby gleaning information on subjects which had not been touched in official interrogations.

In the course of several interrogations Smarin persistently raised the "Japanese" question, but learnt nothing except what the prisoner had already told him in "private conversations" at Kozielsk about his invitation to tea at the Japanese Embassy in Warsaw. Smarin beguiled the prisoner about the possibility of his return to Warsaw and very discretely tried to discover whether the Soviet authorities could count on him as an agent.

The following conversation arose:

Q. "Let us imagine", said Smarin, "that the Public Prosecutor annuls your case. Let us suppose that your request to return to German-occupied Poland is complied with, that the Germans allow you to live at liberty in Warsaw in your own apartment. What would you do?"

A. "I would rest after my exhausting experiences."

Q. "Supposing I turned up at your apartment for one day, would you give me a cup of tea?"

A. "I do not know if there would be any tea there."

Q. "And would you put me up for the night?"

A. "You have the large Soviet Legation in Warsaw. You would be better off and more comfortable there."

Q. "But if I did not want the Soviet Legation to know of my arrival; if I came incognito as a spy, would you take me in and report to the Gestapo that a Soviet agent had arrived?"

A. "I do not know the regulations in Warsaw about reporting. I do not know what has happened to my apartment. In these circumstances I cannot give you an answer."

Smarin's task was to finish the investigation which had been dragging on for more than six months. During one of the interrogations a formal record was made of the questioning of the prisoner on charges relating to:

a) serving in the Russian Tsarist judicature.

b) service in the military and civilian judicature in Poland.

c) participation in the "nationalist and anti-Soviet Siberian Association".

Subsequently the "record of investigation" was shown to him, and it contained besides a few formal statement, only evidence and reports written by the prisoner himself. This complete "record" was sent to the

26. *Kozielsk II. C. The Convoy of 7.4.40.*<sup>1</sup>

According to the diary of Major Adam Solski (file No. 0490),<sup>2</sup> which was found at Katyn, the fate of this convoy (numbering 110.120 officers) after it left Kozielsk on 7.4.40 was as follows:

"Sunday morning, 7.4.40. After yesterday when the people from the "Skit" (see page 20) were put into one hut where we are today, we have been ordered to pack up our things by 11.40 a. m. in order to go to the Club for a search. Lunch in the Club . . . (illegible). After the search at 14.55 we left the walls and the wires of the Kozielsk camp (the Gorki Rest House). At 16.55 (22.55 p. m. Polish time), at the Kozielsk railway siding, we were put into prison trucks. It is said, that in the U. S. S. R. 50% of passenger coaches are prison trucks. With me are going Joseph Kutymba,<sup>3</sup> Capt. Paul Szyfter,<sup>4</sup> and some Majors, a Lt. Colonels and Captains—12 in all. Accommodation for 7 at the most.

"8.4.40. 3.30 a. m. departure from Kozielsk station moving East. 9.30 a. m. at Jelnia station.

"8.4.40. Since 12 we have been standing in a railway siding at Smolensk.

"9.4.40. In the morning some minutes before 5, reveille in the prison trucks and preparing to leave. We are to go somewhere by car. What next?

"9.4.40. From dawn the day started in a special way. Departure in prison coach in cells (terrible). Taken somewhere into a wood, something like a country house. Here a special search. I was relieved of my watch, pointing to 6.30 a. m. (8.30 a. m. Polish time), asked about a wedding-ring. Roubles, belt and pocket knife taken away." Here the diary breaks off.

27. *Kozielsk II. D. Convoy of 8.4.40.*

On April 8th a convoy of 277 people left Kozielsk. None of them were heard of again. At Katyn a diary was found beside the body of an unidentified soldier. (Body No. 424). In this diary there was amongst other things a drawing of a man with a beard, bearing the signature "Kruk Wacław, Kozielsk, 1940". From the diary it was possible to decipher the following description of the experience of this convoy:

"8.4.40. Up to now I have not written anything, as I thought there was nothing special. Recently, i. e. at the end of March and beginning of April, there was a feeling of departure in the air. We took it for the usual gossip. But the gossip turned out to be true. In the first days of April convoys began to leave, at first small ones. From the "Skit" mostly . . . (illegible) of more than a dozen persons. In the end on Saturday the 6th the "Skit" was liquidated and transferred to the main camp. We were temporarily put in the Majors' block. Yesterday a convoy of senior officers left: three General, 20-25 Colonels and about the same number of Majors. Because of the way they departed we were in the best spirits. Today my turn has come. In the morning I had a bath and washed my socks and handkerchiefs . . . (illegible) "to the Club with your belongings." After we had given back all Government property another search took place in hut 19, and from there we were conducted through the gates to the buses, in which we drove to a little station, not Kozielsk (Kozielsk is cut off by floods). At the station we were loaded into prison trucks under strict guard. In the prison cell (which I am seeing for the first time) we are thirteen. I do not

Footnote 1—Continued

Public Prosecutor and the prisoner was still kept in prison. A few days after the culmination of the "investigation", the prisoner was taken to the doctor, who ordered him to take off his uniform and shirt, glanced at his chest and back and without a word sent him back to his cell. In the doctor's opinion this intellectual of over 60 years of age, having spent a year in camps and prisons, was perfectly fit for heavy work in a "correctional" forced labour camp.

On 16.10.40 the prisoner was transferred from the "internal" N. K. V. D. prison to a prison at Lukianovka, where he was to wait for the "verdict". A few months later he was called into the prison office and informed that according to the verdict of the "O. S. O." (Osoboie Sovieshtshanye, a Special N. K. V. D. Council) he had been described "socially dangerous person" and "condemned to 8 years in a correctional labour camp, situated in the far North." In December 1940, he then went to this camp, from which he was freed, as a result of persistent requests by the Polish Embassy, on 8.3.42, six months and twenty-two days, after the announcement of the so-called, "amnesty" for Polish citizens, 12.8.41) and four months after Molotov's declaration that the "amnesty" concerning Polish prisoners of war and other prisoners had been carried out to the full and that not a single person of this category was still in captivity on Soviet territory. (See below PART TWO).

<sup>1</sup> About the first three convoys to leave Kozielsk on April 3rd, 4th and 5th, 1940 we had no information at all. The fourth, which—it will be remembered included. The 3 Generals, and left Kozielsk in very high spirits, after a farewell celebration organised in the camp—also disappeared.

<sup>2</sup> The bodies and the objects found with them at Katyn were each listed and given a number (see PART THREE). The Germans gave the bodies of General Smorawinski and General Bohatyrewicz found in the same grave as that of Major Solski, the Nos. 1 and 2. The body of General Minkiewicz who was in civilian clothes (see above) was not identified at Katyn.

<sup>3</sup> Found at Katyn—body No. 481.

<sup>4</sup> Not identified at Katyn.

know yet my chance companions in misfortune. Now we are waiting to depart. As much as I was optimistic before, I'm coming now to the conclusion that this journey is not good at all. The worst thing is that it is not known whether we shall be able to find out in which direction we shall go. We have to wait patiently. We are moving in the direction of Smolensk. It is a sunny day, a lot of snow still on the ground.

"9.4.40. Tuesday. We spent the night more comfortably than in the former cattle trucks. There was a little more room and not such a frightful shaking. Today is a real winter's day. Snow is whirling around, it is cloudy. In the fields as much snow as in January. It is not possible to find out in which direction we are going. During the night we moved very little, now we have just passed the station of Spas-Demianskoie. I have never noticed such a station on the way to Smolensk on the map. I am afraid we are going to the North or North-East, judging by the weather. During the days it is just like it used to be. Yesterday morning we were given a portion of bread and some sugar. Cold boiled water was put into the truck. It is now nearly mid-day, but we have not been given anything to eat. Our treatment is also . . . brutal. They permit us nothing. We are allowed to go to the lavatory only when it pleases the guards; neither asking nor shouting helps." (There follow a few reminiscences of the "Skit", which are omitted here).

"It is 14.30. We are coming to Smolensk. For the time being we are standing in a goods station. . . . We are really at Smolensk. It is almost evening, we have passed Smolensk and are now in Gniezdovo station. It looks as if we are to get out here, for there are a great many soldiers moving about. In any case we have literally had nothing to eat up to now. From breakfast time yesterday we have been living on a piece of bread and a small drink of water." Here the diary breaks off.

*28. Kozielsk II. E. Convoy of 26.4.40.*

Nearly all the people in the 16th convoy, which left Kozielsk on 26.4.40, unlike those who were in the first fifteen, afterwards re-appeared quite safe in another P. O. W.'s camp. (See page 50.) Their reports give us direct evidence of the treatment received by the prisoners during these journeys and some idea of the destination of the earlier convoys.

Just as in the case of previous convoys, on the morning of 26.4.40 a soldier of the N. K. V. D. read out in the living quarters the names of all those who were to leave that day. There were altogether 160 people on the list. All of them with the exception of about 40 cadets; were officers. Among these were a great majority of those Polish officers of German descent who have previously declared themselves to the camp authorities to be, Volksdeutsche."

They were assembled in the club and were conducted to one of the huts close to the wall which surrounded the camp. In a search they were deprived of all sharp objects, even spoons. They were however allowed to keep their personal documents and letters from families and friends. After, they were taken out of the camp, escorted by a strong N. K. V. D. guard, and loaded into heavy lorries, very overcrowded, which took them to the railway siding at Kozielsk, where prison trucks were already waiting.

Fourteen to sixteen persons were pushed into each compartment and the doors locked. In the corridors were armed guards who escorted prisoners to the lavatory twice a day at appointed times. Each group was allowed to stay there three minutes.

After a few hours the train began to move. The prisoners tried to calculate the direction in which they were going, by the sun. Only a few optimists still believed they were going "home", as had been vaguely suggested by the authorities at Kozielsk. The majority had grown much more pessimistic as a result of the prison trucks and the strong escort. On the walls of the compartments they found messages written up by members of previous convoys who had been transported in the same trucks. From these messages it appeared that they had travelled towards Smolensk, which confirmed the rumours which had been circulating at Kozielsk of the existence of a specially isolated transit camp there.

The following are quotations from two reports of members of the convoy of 26.4.40;

"Soldiers who had previously left Kozielsk had promised us to leave messages in the trucks saying where they were going and what was happening to them. I found one such message, written by someone who had gone before me, saying that they were standing in the second station after Smolensk, and that the occupants of the front trucks were being transferred into cars and driven off in

an unknown direction. I don't really remember whether that message said the second station after Smolensk or a station near Smolensk, but in any case, it was either one or the other." (Witness 14).

"In my compartment of the prison truck, I found an inscription in Polish: 'We are leaving at the second station beyond Smolensk. Cars are waiting for us.' In other compartments were similar messages." (Witness 13).

"The journey lasted over twenty-four hours. In the afternoon of 27.4.40 the prisoners disembarked at Babinino station, from whence they were driven in heavy lorries to a camp at Pavlishtchev Bor.

"During the journey by road from Babinino station to Pavlishtchev Bor, the guards deliberately tormented the prisoners. The locked lorries were incredibly overcrowded and shook terribly on the rough roads. Two officers fainted. Anyone who tried to hold the side of the lorry was hit on the fingers with a bayonet". (Witness 4.)

#### 29. *Kozielsk II. F. Convoy of 29.4.40.*

From this convoy only one person was found, having been separated from the convoy at the station of Gniezdovaia (Gniezdovo), near Smolensk, with extracts from it, of the report of the officer concerned.

"... The convoy was composed of 5 (perhaps 6) prison trucks. . . . We calculated that there were about 300 of us. We were put into separate compartments. In my compartment were 14 people. . . ."

"We left Kozielsk in the late evening. . . . At sunrise we were at Smolensk. We stood there for a few minutes only, then the train moved on in a North-Westerly direction. It was a bright, sunny day. From the shadows of the telegraph poles we realised that we were travelling North-West. This fact was greeted with joy, as many began to believe they were really taking us to Poland. After travelling for several kilometres the train halted. The rumour spread that we were to be unloaded. . . ."

"... After about half-an-hour's wait a Colonel of the N. K. V. D. entered our truck, called out my name, announced that I was to be separated from the convoy and ordered me to collect my things. He personally conducted me to an empty prison truck, where I was locked into one of the compartments. A special guard stood in the corridor before barred doors. Shortly after I heard some sort of noise in an adjacent truck, the hum of a motor and the cries of the prisoners. Prison trucks are so constructed that the walls of compartments have no windows, except for a small square of glass right under the ceiling. By climbing on the highest shelf (intended for luggage) it is possible to see out. I therefore pretended that I wanted to sleep and climbed on to it. Soon the guard was standing with his back to the door of my compartment and looking out of the window (the corridors of prison trucks have windows). So I was able to look out. We were standing outside the station. Before us was a big square partly covered with grass. At right angles to the railway ran a road, skirting the left side of the square. The horizon was covered with a wood. The square was surrounded by N. K. V. D. guards with bayonets and rifles. The distance between the guards was about 10 feet. In the square stood a passenger bus, its windows smeared with cement. . . ."

"... The entrance to the bus was at the back; it came right up to the trucks so that the prisoners were able to enter it directly from the trucks. On both sides of the entrance to the bus stood N. K. V. D. men. Two of them had bayonets on their rifles. About 30 people got into the bus. It drove off in the direction of the wood and after a certain time (about half-an-hour) returned to collect the next party. The whole thing was supervised by a colonel of the N. K. V. D., the same one who took me away from the convoy. . . ."

"After the unloading was completed, I was handed over to a Captain of the N. K. V. D., who turned out to be the governor of the Smolensk prison. In a special prison car he took me to the so-called 'internal' N. K. V. D. prison, in the cellars of the Smolensk N. K. V. D. office. . . ."

This officer was subsequently taken to the Lubianka prison in Moscow, where six months later he was condemned by the administrative authorities to 8 years hard labour. He was not released until April, 1942.

#### 30. *Kozielsk II. G. Convoy of 12.5.40.*

When the convoy left Kozielsk on 12.5.40 the liquidation of the P. O. W. camp for officers was practically completed. On this occasion a general order to prepare to leave was given to all the prisoners, of which there were about a hundred remaining in the camp. A list was however, read out in the morning on which were the names of 9 people who were ordered to stay in the camp.

Impatient and exasperated by the prolonged wait for their departure from Kozielsk, the prisoners hurried over their breakfast and assembled of their own accord in front of the gates of the camp. Here however, they were unexpectedly made to wait a long time before the direction of their journey was finally decided upon, as General Zarubin's deputy Major Elman was discussing the question with Moscow.

From the report of one of the prisoners it seems that it was at first intended that the destination of the convoy should be the same as that of earlier ones—namely to Smolensk; but that at the last minute another decision was taken in Moscow.

"We were kept standing right in front of the gates. We waited quite a long time. The sun was beating down. I entered into conversation with Commissar Dymidowicz, who was leaning on the gate. He always formed up the convoys. 'Where are we going?' I asked.—'You are going towards Smolensk,'—'Is Smolensk a nice town?'—'Yes, a fine city'—he replied. 'But, you will not see it.' 'What are we waiting for?' I asked.—'For Elman, who is telephoning to Moscow. . . .' After a time Elman appeared, took Dymidowicz aside and started to talk to him". (Witness 6).

When Major Elman came up after the prisoners were superficially searched, led out of the camp, loaded into heavy lorries and driven, under strong escort, to a small station near Kozielsk. The prison trucks were already waiting. One of the prisoners noticed that "Babinino" was freshly written in chalk on the trucks. Others saw the half obliterated name of "Gniezdovo".

After travelling for more than 24 hours "in unbelievably bad conditions", the train reached Babinino station. During the journey, prisoners in many different compartment discovered messages left there by members of previous convoys. In several of them the name of "Gniezdovo" station was mentioned.

Two witnesses have given the following reports about this:

"In my compartment was an inscription written by someone in a previous convoy. 'We shall be disembarked at Gniezdovo. We can see the lorries waiting.' " (Witness 15).

" . . . In the railway truck which was carrying us to Pawlishtchev Bor, I found scratched on the ceiling, inscriptions bearing dates which corresponded to the dates of departure of other convoys: 'We are disembarking at Gniezdovo, not far from Smolensk. We are going somewhere in lorries.' " (Witness 16).

After a wait of several hours in Babinino, the prisoners were taken out of the trucks and put into lorries, which carried them to the camp at Pawlishtchev Bor. Members of the convoy of 12.5.40 give a fairly detailed account of this part of the journey. "So many prisoners were put into the lorries standing with their backs to the engine that there was not an inch to spare. Then at a word of command, all the prisoners were ordered to sit down, with the result that each person was pinned down by the man in front, their legs becoming mixed up. Every time the prisoners moved in the lorry the Soviet guards prodded them with bayonet points. By the time they had driven over 40 kilometres (about 25 miles), many of the prisoners had fainted." (Witness 17).

"We had to sit all the time and it was forbidden to move. In each lorry were seated three Soviet soldiers with rifles pointing at us. In addition, a machine gun was mounted on a special lorry, in which there were also specially trained police dogs". (Witness 15).

### CHAPTER III. THE CAMP AT STAROBIELSK

#### 31. *Topographical and historical description of the camp.*

Starobielsk is a small town in the province of Voroshilovgrad (South-Eastern Ukraine) (see the map). After the revolution large transit camps were established there to accommodate the intelligentsia who had been deported from the large town. There political prisoners were sorted out before being sent to correctional labour camps in the North. During the years 1939–41 one of these camps was used for Polish prisoners of war, and they were put in in numbers far exceeding its capacity. The camp was situated on the outskirts of the town on the site of a former monastery, which was surrounded by a high wall. In an area of a few hectares stood two orthodox churches and various monastery buildings. In the autumn of 1939 the larger church was used for storing wheat which, according to the prisoners, was gradually transported to Germany in compliance with the Soviet-German economic agreement. It was finally emptied in 1940, after which it was used for a time as prisoners' living quarters. The prisoners cleaned it out themselves and built tiers of bunks, from floor to ceiling.

The smaller church used by the Polish P. O. W.s from the beginning as living quarters had been fitted with seven tiers of bunks. The space between the bunks was so small that the prisoners had the impression of living in "small, smelly boxes, placed one on top of the other." Those living at the bottom of this human ant-heap were in perpetual darkness. The other monastery outhouses, stables, etc. were no less crowded. There were not enough bunks for all the prisoners arriving at the camp, so they had to sleep on the ground, in corridors—and in fact, wherever they could find a little space. Altogether the whole camp was completely neglected, dilapidated and filthy.

At the main entrance was a guard-room and beside it a very narrow gate, through which prisoners leaving the camp had to pass in single file. The headquarters of the Soviet camp administration were situated outside the walls.

In the centre of the camp was the so-called "osoby otdiel" (Special Branch) composed of a team of N. K. V. D. officials whose task was to compile evidence and carry out investigations.

While officer prisoners of war were there, the condition of the Starobielsk camp was very much improved. The officers (to a great extent on their own initiative) repaired existing buildings, built two large huts, kitchens (hitherto there had been only field kitchens), shower baths, laundries, and latrines. They sank three artesian wells, drained the ground, put the electric plant in working order and organized for smithy, and carpentry, boot repairing, and tailoring workshops.

There was no "Club" at Starobielsk although these are found in most Soviet camps. Soviet propaganda films were at first shown out in the open and later in the partially empty large church. At the beginning of 1940 a very small reading-room was opened in the camp with accommodation for 10 persons at the most.

### 32. *Starobielsk I. (September–October, 1939) Camp for prisoners of war from the ranks.*

In the period immediately following the Soviet aggression against Poland, Polish prisoners of war were indiscriminately sent to Starobielsk camp. By the beginning of October the camp already contained 8,000 people, mostly privates, who were treated more or less the same as those who were at that time at Kozielsk on account of the overcrowding. The living conditions, quarters and food were extremely bad and made worse by continuous rain, snow and mud. It should be emphasized that barely half the prisoners were housed in the buildings; the rest lived in roofless sheds and a few tents.

During the second half of October there was at Starobielsk, as at Kozielsk, a noticeable tendency to turn the camp into an officers' camp. At the end of October and the beginning of November, N. C. O.'s and privates, numbering altogether over 6,000, were taken away and increasingly large numbers of officer prisoners arrived.<sup>1</sup>

During November the camp was almost emptied of other ranks and Starobielsk was converted into a camp for Polish officers.

### 33. *Starobielsk II. (November, 1939–May, 1940). A. Inmates of the Camp.*

The officers' camp at Starobielsk contained about 4,000 prisoners of war including about 100 cadet officers and a few dozen civilians (judges, public prosecutors, civil servants and landowners), Senior officers, from Lt. Colonels upwards, were from the outset separated from the other officers and housed outside the main camp. In the "Generals' House," situated about 550 yards from the camp, lived 8 Generals and a few senior Colonels; about 100 Colonels and senior Lt. Colonels lived in the so-called "Colonels' Quarters" about 330 yards from the camp. When the liquidation of the camp was begun in April 1940, the separate "Colonels' Quarters" were abolished and the inhabitants transferred to the main camp.

As at Kozielsk, the movement of prisoners to and from Starobielsk diminished considerably after its conversion into an officers' camp, but did not entirely cease. Throughout the winter small groups continued to come and go. About 100 persons in all were removed mostly in connection with interrogations. These were officers of the Intelligence Service and prisoners suspected of conducting "anti-Soviet" activities among their fellows. Most of those taken away were never seen again; a few, however, after many months in investigation prisons or correctional labour camps, regained their freedom in 1941 as a result of the "amnesty." (See PART TWO).

<sup>1</sup> In particular, on 16th November a convoy of approximately 2,000 officers arrived at Starobielsk. Half of them, including General Stanislaw Haller, remained there, the other half being sent on to Kozielsk.



The day before Christmas Eve, all Army Chaplains of all denominations among whom were the Chief Rabbi of the Polish Army, Major Steinberg and a Protestant Superintendent Potocki were removed from Starobielsk, as also from Kozielsk. According to Czapski (*Souvenirs de Starobielsk*, Paris (?) 1945), some of them, after spending several weeks in a Moscow prison, were brought back to Starobielsk and put in the prison tower, strictly isolated from the other prisoners. Later they were again deported in an unknown direction, after which all traces of most of them were lost. A few subsequently went to the camp at Ostashkov (See below), and shared the lot of its inmates.

Nearly 50% of the inmates of Starobielsk II were officers taken prisoner by the Soviets after the capitulation of Lvov, after having been guaranteed "personal liberty" and the right to travel to neutral countries (see p. 10). Many of the other officers had been arrested in Poland during the registration of Polish officers ordered by the Soviets, and after a few months detention in various prisons, were brought to Starobielsk. For instance on January 10th 1940, 13 people, including 3 civilian "criminals" arrived at Starobielsk from the Stanislawov prison.

In the early spring of 1940 the majority of the cadet officers were liberated from Starobielsk. Some of them succeeded in reaching Poland and informed the prisoners' relations of the conditions in the Starobielsk camp. They suggested that their release meant that the camp was to be gradually liquidated and the prisoners sent home, in order of rank, the lower ranks being liberated first. Many of these cadet officers were subsequently arrested "in the ordinary way" as "civilian criminals" and put into "normal" Soviet correctional labour camps. (Witness 22).

Reckoning on the basis of their ranks in the Polish Forces, there were at Starobielsk at the time when the liquidation of the camp began:

- 8 Generals
- about 150 Colonels and Lt. Colonels
- about 230 Majors
- about 1,000 Captains
- about 2,450 1st and 2nd Lieutenants
- about 30 Cadet officers
- 52 civilians.

making in all a total of about 3,920 persons.

Among these were a few hundred airforce officers, the whole staff of the Military Institute of Chemical Warfare, including the distinguished expert, Major Brzozowski—and many other well-known military experts.

About 50% of the officers in the camps were officers of the reserve and, as at Kozielsk, among them all civilian professions were represented. There were:—

a) about twenty professors, lecturers and readers of Polish Universities and Colleges.

b) about 380 military and civilian doctors.

c) a few hundred lawyers, judges, public prosecutors and barristers

d) a few hundred engineers

e) numerous secondary and elementary school teachers

f) some poets, writers and journalists

g) politicians, including Eiger, Vice-President of the Polish Anti-Hitler League.

As at Kozielsk there were at Starobielsk a few people disabled in the last war and arrested by the Soviet authorities as officers.

#### 34. *Starobielsk II. B. Camp authorities—regulations.*

A considerable amount of internal autonomy was allowed from the start of the Starobielsk officers' camp. This was perhaps due to the personal character of the first Polish "senior" of the camp, Major Sobieslaw Zalewski, who was an engineer. This officer was extremely capable, with an excellent knowledge of the Russian language, and a very energetic administrator and organiser. From the time of his arrival at Starobielsk with the first large party of officers, he worked day and night planning the building of suitable camp accommodation and persistently negotiating with the Soviet authorities.

The result of this was that the Soviet authorities left all matters connected with the internal life of the camp in the hands of the Polish "Headquarters" or "Administrative Council", confining themselves to supervising Polish activities and to carrying on their "proper" work—i. e. investigations and political work among the prisoners.

The Soviet Commandant of the camp was Colonel Berezkov of the N. K. V. D. He was usually out of the camp and had very little contact with the prisoners.

In practice four or five young, well-trained N. K. V. D. officers deputised for the commandant. These officers took it in turn to carry out the 24 hours a day duty of the camp commandant, having under them several N. C. O's and messengers.

The camp political commissar, Kirshin, unlike Berezkov, was rather hostile to the prisoners. He had at his disposal a dozen or more "politruks", who de facto supervised the life of the camp and "looked after" the residential blocks allotted to them.

At the head of the "osoby otdiel" (Special Branch) was Major Lediediev of the N. K. V. D. Assisted by a staff of investigating officers, he organised the investigations and the collection of evidence.

Soviet administrative and technical officials, as well as doctors, were in practice concerned only with supervising the work of prisoners with professional qualifications.

It should be emphasized that at Starobielsk, contrary to Kozielsk, prisoners were not forbidden to write in their letters that they were in a "prisoner of war camp". Starobielsk, like all "normal" camps in Russia, was under the jurisdiction of the N. K. V. D. instead of under that of the military authorities, as is the general practice in the case of prisoner of war camps. This fact was confirmed by the official stamp of the camp, which bore the inscription: "Upravlenie Starobielskogo Lagiera N. K. V. D., U. S. S. R. (N. K. V. D. Camp Command, Starobielsk, U. S. S. R.)

The camp regulations, announced to the prisoners in the second half of October 1939, by Commissar Kirshin, strictly prohibited all forms of praying or singing, meetings, lectures, mutual instruction and even reading aloud. Prisoners were forbidden to enter any huts except their own or stand in large groups outside the buildings. Walks were to be taken in groups of two or three at the most. The writing of diaries or notes was prohibited. It was strictly forbidden to turn out the light in the huts at night, and to leave the huts after dusk. No card games or games of chance were permitted.

### 35. *Starobielsk II. C. prisoners' living conditions*

The decrease of over 50% in the number of camp inmates after November, 1939, greatly contributed to the improvement of conditions. The repair of the buildings and the general organisation of the camp, during November and December, improved things still more. After the middle of December every inmate was sheltered from wind and rain. Bedding was gradually supplied. In principle every prisoner received a blanket, a sheet, a palliasse and a paper pillow-case.

As at Kozielsk, living conditions varied to a certain extent according to military rank and the particular quarters in which a prisoner lived.

The living quarters of senior officers were relatively comfortable. Generals had their own orderlies, and some of them adjutants as well.

The repairing of old buildings and the erection of new ones lessened the plague of bugs in the camp. The instalation of delousing baths and wash-houses and the energy of the Polish medical personnel did much to reduce the numbers of lice which had hitherto infested the camp.

The liberation of private soldiers from the camp somewhat improved the officers clothing situation. The departing men willingly, often without payment, left for the officers their sweaters, mufflers, shirts, boots etc.—all invaluable in the Soviet Union. Despite the requests made by the Polish "Headquarters" to the Soviet authorities for warm clothes and boots for the men engaged in rebuilding the camp, they only succeeded in obtaining up to the time of liquidation of the camp a few dozen "tielogreisk" (thick suits).

### 36. *Starobielsk II. D. Camp self-government.*

Immediately on arrival at Starobielsk, Major Zalewski, who was appointed "senior" of the camp, proceeded on his own initiative to adapt the camp buildings to suit the needs of the inmates. He organized a team of about 200 qualified men, mostly sappers, who accomplished this task. The Soviet authorities had promised that members of this team would receive a 25% increase in their rations and an extra three roubles per day. This promise was only partially kept, as members of the team were only once given extra pay.

After the completion of the most important work in the camp, Major Zalewski, who enjoyed the general goodwill and trust of his colleagues, was suddenly called before the Soviet commandant on the night of December 22nd, 1939. From that time he was kept in strict isolation until they started to liquidate the camp, in April 1940.<sup>1</sup>

<sup>1</sup> "On April 5th, 1940, he appeared once again in the camp, ill and weak looking as though he had risen from the grave. We greeted him warmly. With one of the first parties to leave the camp at the start of its liquidation, Major Zalewski passed through the gates for the second time. He never came back to us." (Witness 23).

Major Zalewski's successor as Polish "senior" was Major K. Niewiarowski, who in turn was taken away from Starobielsk and was succeeded by Major L. Chrystowski, an artillery officer. The last man to hold that position at Starobielsk.

The administration of the camp was organized in such a way that the Polish camp "senior" had subordinate to him seniors of individual huts, the inmates of the larger ones being divided into companies. In principle the camp authorities had dealings only with the Polish camp "senior", who passed on their instructions by calling a conference of huts "seniors". As the latter generally knew their people well, this method made for administrative efficiency and reduced misunderstandings arising from the officers generally inadequate knowledge of Russian.

Polish camp "Headquarters" also theoretically subordinated to the Soviet administration enjoyed considerable autonomy in the organizations of special services such as the distribution of food, blankets, fuel etc., which was performed by the Polish "Quartermaster". The keys and control of the camp food stores remained in Soviet hands.

Medical services and the general hygiene of the camp were in the hands of the Polish doctors who organized a first aid, a provisional hospital and a dental clinic.

### 37. Starobielsk II. E. Food and work.

The kitchen was well organized and staffed by the prisoners but the "Polish administration" could not prevent Soviet officials from removing tins of fats, the better kinds of fish etc., from the food stores. The food at Starobielsk was practically the same as that at Kozielsk, with the one difference that, on consequence of the comparatively large degree of autonomy enjoyed by the Poles at Starobielsk, the Soviet authorities had less opportunity for fraud and the prisoners therefore received better and more tasty meals.

As at Kozielsk, at Starobielsk work was not compulsory for all inmates. Officers of senior rank, living in separate quarters, were entirely exempt. In the main camp, in the morning the Soviet authorities handed to the Polish "senior" a so-called "nariad", i. e. a demand for 500-700 persons required for labour on that day. The Polish "senior" in turn called a conference of block commanders, who, fairly and in rotation, for the most part without regard to rank but taking into consideration age and state of health, appointed people for work. While the camp was being rebuilt, groups of officers were employed to unload timber, planks and coal at the railway station. This was very heavy work, which meant being away from the camp all day without food. The 100-200 officers detailed in rotation for this work were conducted under heavy escort along rough, winding paths to the station, in order to avoid any contact with the local population. Work outside the camp was practically discontinued after the middle of January 1940. Within the camp, officers carried out various tasks, such as maintaining general order, clearing away snow and ice, cleaning stores, and latrines, unloading food for the camp, permanently working in the bathrooms and laundries, disinfecting etc.

At Starobielsk prisoners were only used for work connected with the needs of the camp. Officers did not try to avoid work, finding that it relieved the monotony of camp life. But one of the great disadvantages of working was that clothes and footwear, particularly treasured by the prisoners, were worn out very quickly. The repeated efforts of the Polish "Headquarters" to obtain special working clothes for the prisoners were unsuccessful.

### 38. Starobielsk II. F. Currency, sale of valuables, shop.

Despite frequent searches many prisoners managed to hide some money and personal possessions. The majority however had only Polish zlotys, which had potentially lost their value, and having no roubles, they were unable to buy anything at the official camp shop or unofficially through Soviet officials and workmen who came to the camp to work. Some of the prisoners had received some pay in roubles, but the majority remained without any Soviet money. In the middle of December the Soviet authorities announced that in the interest of the prisoners they would give them the opportunity of acquiring roubles by selling their watches, fountain pens and other articles of value. Shortly afterwards three Soviet representatives of the State Jewelry Trust arrived at the camp. The prisoners mutually agreed not to sell their rings, crosses or medallions, but they were quite willing to part with watches, fountain pens and other articles. The official prices offered by the Trust struck the prisoners as very curious: Wrist watches fetched a fairly good price regardless of make and condition, while the best gold pocket watches were valued at very little. Fountain pens, from

expensive Parkers to ordinary Woolworth all fetched the same price—20 roubles. After the sale the prisoners were given up to 50 roubles on the spot, the balance being paid into their accounts from which they were permitted to draw out 50 roubles every month.

Before this sale, when the prisoners had been without roubles, the travelling shop, which visited the camp about once a fortnight, had usually been fairly well stocked with articles the prisoners would have liked to have been able to buy. After the sale, when there were roubles available in the camp, the number of articles for sale in the shop was greatly reduced. At each visit, therefore, the officers pooled their roubles, and having bought up the stock which was available to them, when the Russians had had their pick, they distributed it fairly between huts and individuals regardless of whether they had contributed to the pool or not.

*39. Starobielsk II. G. Prisoners' conception of their legal status and hopes of liberation.*

As the majority of prisoners at Starobielsk found themselves in captivity without having previously taken any part in battles against Soviet troops, they were unable to understand on what pretext they were detained. The legal position of Polish soldiers in Soviet hands was discussed at numerous conferences, attended by eminent Polish lawyers who were among the inmates of the camp. These conferences invariably reached the conclusion that, in view of the fact that a state of war didn't exist between the U. S. S. R. and Poland, there had been absolutely no legal justification for keeping them in captivity, and referring to them, as "prisoners of war." The terms of Lvov capitulation, guaranteeing "personal freedom" and "right to travel to neutral countries" were continually referred to at these conferences (see p. 10.)

Ignorant of the general political situation and unaware of Soviet legal interpretations (see p. 6-12.), most of the prisoners at Starobielsk gladly listened to all kinds of rumours which presaged their speedy release. One of these rumours was to the effect that the United States had consented to represent Polish interests in the U. S. S. R. and that the American Ambassador was expected to visit the camp with a delegation of the International Red Cross. This rumour was fully believed by the prisoners and at a meeting of staff officers the text of a special petition to the American Ambassador was drawn up, requesting him to arrange for the immediate release of all Polish prisoners of war so that they could join in the fighting against Germany. Fearing that the Soviet authorities would prevent them from approaching the Ambassador, the prisoners translated the petition into English and hurriedly made several copies, so as to ensure that at least one of them would come into the Ambassador's hands during his forthcoming visit. Although this rumour turned out to be entirely false, most of the prisoners still did not lose hope of being soon liberated. This hope was sustained by various rumours initiated by the Soviet officials, and by letters from Poland stating that reports of their imminent return from the U. S. S. R. were widely circulating there.

In consequence of the general anticipation of immediate release, the prisoners at Starobielsk, as at Kozielsk, greeted the announcement in April of the liquidation of the camp without surprise and in fact with considerable satisfaction.

*40. Starobielsk II. H. Evidence and investigation.*

The fact that during the whole of the time spent by the officers, prisoners at Starobielsk the Soviet authorities had been conducting intensive investigations and collecting various kind of evidence, counteracted to some extent the hopes at early liberation. Prisoners were summoned, usually at night, either to the "osoby otdiel" (Special Branch) or to the Soviet Command outside the camp.

All particulars relating to each prisoner were recorded several times, each individual being required to fill in on a printed form various details concerning his family, financial position, living conditions, occupation, with particular references to the number of workmen employed by him and the vehicles in his possession, journeys abroad, knowledge of foreign languages etc. Apart from the detailed questionnaires, interrogations also took place, "doprosy" as they were called by the prisoners. These lasted for hours on end and took the form of discussions with the interrogator, who tried to take the prisoners unaware with unexpected questions on apparently unrelated subjects. The main themes of discussion were political problems and to a lesser degree military topics. The interrogators were chiefly interested in the prisoner's party affiliations, his political outlook, his attitude to the U. S. S. R. etc. Methods of interrogation varied. Sometimes the prisoner was offered tea and cigarettes, at others the interrogator smoked good

tobacco right under his nose. Refined politeness often gave way to shouts and threats, backed up by a revolver on the table. Beating did not take place in the camp, but the more stubborn prisoners were transferred to prison.

Records were usually not kept of "doprosy" and the prisoners were warned that the discussions were strictly confidential and not to be repeated to anyone. Every prisoner without exception was summoned to an interrogation several times, and there were cases of men being interrogated literally every night for 2-3 weeks on end.

The completed evidence and the records of the "doprosy", together with photographs (one full face and two profiles) and finger prints, formed the so-called dossier of each prisoner. No one ever saw their own dossier, having no means of access to it.

As at Kozielsk, these dossiers probably contained other material concerning the individual prisoners, such as the comments of the camp authorities, particularly of the political agents, information obtained from correspondence with their families etc.

#### 41. *Starobielsk II. I. Correspondence.*

When they first came to the camp, prisoners were not allowed to correspond with Poland. Not until the middle of December 1939, was permission granted to write once a month, provided no mention was made of conditions in the camp and no information of any other kind given except personal news. The address for reply, written in Russian, was given as: "U. S. S. R., Starobielsk Prisoner of War Camp, Post Box No. 15".

The chance to correspond with the outside world raised the morale of the prisoners, who took fresh courage on hearing from their families. The first letters arrived at the camp before Christmas 1939. From the moment of obtaining the addresses of their relations, families in Poland wrote often, thus supplying the Soviet authorities with useful information. In March 1940 at Easter each prisoner was permitted to send one telegram. That was almost the last news that came from Starobielsk. No letters left the camp after April 10th 1940, but distribution of incoming mail continued until April 26th. After that all communication ceased.

In addition to letters, over 100 parcels were sent to the camp, mostly from German-occupied Poland or from the province of Wilno. Packets of food and clothing from Soviet occupied territories never arrived, but some money orders were received, including one for 500 rubles from notorious Wanda Wasilewska for her uncle, a disabled Colonel.

#### 42. *Starobielsk II. J. Soviet propaganda.*

As at Kozielsk, placards bearing Soviet slogans and extracts from the Stalin Constitution were posted in the Starobielsk camp. In addition political propaganda was diffused through the radio (numerous loud-speakers being set up in the grounds of the camp and in the living quarters), the Soviet press in Russian and in Polish and also films. The attendance at the films was at the outset considerable, but it decreased from day to day, as the films were of a low standard, always tendentious and often anti-Polish, based on such themes as the Soviet-Polish war of 1920 etc. The Soviet authorities attributed the poor attendance to weather conditions, and consequently transferred the film displays to the main church, after it had been emptied of grain. Nevertheless the attendance continued to fall almost to zero and, after a time the film shows had to be discontinued, which brought a severe reprimand from Commissar Kirskin.

The most popular paper among the prisoners was the Lvov "Red Standard" published in Polish, large numbers of which were sent to the camp from time to time. Verbal propaganda was carried out by political agents in discussions and lectures as well as in conversations with the prisoners on political themes. The Polish "Headquarters" endeavoured to keep the prisoners out of such discussions, but often unsuccessfully.

In general, Soviet propaganda at Starobielsk was not much of a success. Only a score or so of prisoners were in the habit of talking to political agents and using the library. The great majority were indifferent or disgusted with Soviet propaganda.

There were also at Starobielsk a few dozen prisoners of German descent who had declared themselves "Volksdeutsche." These were rigourously boycotted by most of the prisoners, but were looked upon with some favour by the Soviet authorities.

#### 43. *Starobielsk II. Religious, cultural and social life at Starobielsk.*

On the first Sunday after their arrival at Starobielsk, large crowds of prisoners attended Mass in their respective huts. Subsequently this sort of "demonstration" was strictly prohibited by the camp authorities. But the army chaplains in the camp continued to celebrate Mass, hear confessions and give Communion in secret. After the removal of all the priests, religious life was somewhat restricted, though clandestine religious services were still held. Besides religious feasts, the prisoners also observed national festivals. On November 11th, the Soviet authorities held a special "roll-call", keeping the prisoners in closed ranks outside the camp grounds all day. Nevertheless, in the evening, discussions and speeches were held in many huts in observance of the anniversary of Polish independence. Christmas was also celebrated. The huts were decorated with Christmas trees and lighted candles, and the prisoners sang carols and broke Christmas wafers.

Many of the officers had books in their haversacks when captured. These books circulated among the prisoners and were much more widely read than books from the official Soviet library. The prisoners also organised lectures, discussions and instruction in foreign languages. As this was strictly forbidden by the Soviet authorities, a few prisoners used to watch and give warning of the approach of guards or political agents, who were in the habit of creeping up quietly and trying to catch the prisoners red-handed. A few of the prisoners sought relaxation and consolation in spiritualistic seances. Card games, though forbidden were also popular, but political agents systematically confiscated the cards.

After protracted negotiations with the camp authorities, permission was given for the formation of a camp choir, but the texts of all songs had to be first translated into Russian and censored. In practice, the translations often deviated considerably from the text, which contained various topical illusions.

#### 44. *Starobielsk II. L. Liquidation of the Camp.*

At 9 a. m., on April 5th 1940, the Soviet Camp commandant, Colonel Berezkov, attended by several Soviet officers, arrived at Polish "Headquarters" and announced that the long expected evacuation of the camp was about to begin, and that about 200 people would leave daily. When questioned by the prisoners as to their future fate, Berezkov answered evasively that as far as he knew they were going home, not directly, but by way of dispersal points somewhere in the neighbourhood of Kharkov, Kiev and Smolensk, from whence large convoys would be sent home. Asked why prisoners, who had arrived at the camp in thousands, were to be taken away, in such small groups, the commandant answered that the war with Finland had caused a shortage of rolling stock. Berezkov also told the prisoners that the Soviet authorities would look after them properly and supply them with all the requirements for their homeward journey.

Later, the names were read out of all those included in the first party, numbering 195 persons. They were ordered to collect their things immediately and report at mid-day in the main church for a search, during the process of which they were relieved of all metal objects, printed and written matter etc. After the search, the prisoners left the church in single file and went directly to the exit gate. Those remaining in the camp gathered on both sides of the path, but Soviet guards prevented them from making any contact with the departing men.

Subsequent parties left in a similar manner. Nearly every day two Soviet N. C. O.'s came to the room of the commandant of block 20 with a list of prisoners to be included in the next party. The size of the parties varied from about 50 to 240 persons. Up to April 26th groups left almost daily. After that date there was an interval until May 2nd. As the prisoners were all the time convinced that those removed from the camp were being liberated, the delay in the departure of convoys gave rise to great agitation among the few hundred people left behind. After the convoy of May 2nd had left, there followed another interval of several days. Groups of a dozen people being subsequently deported on May 8th, 11th and 12th.

As in Kozielsk, the prisoners tried in vain to discover the principles on which the lists were drawn up. Each list seemed to contain the names of a certain proportion of officers of every rank and from each individual hut. Every block gradually emptied from day to day more or less evenly.

A systematic separation of persons of the same name, in many cases relations was also noticeable. When the prisoners protested against this, the camp authorities declared as at Kozielsk, that they had no influence on the composition of the lists, which they said were sent from the central office. The prisoners were told, that in any case it was immaterial in which group they departed, since they would "soon all meet again". As more and more prisoners left the camp, those



remaining behind grouped in the larger blocks, until on May 2nd all inmates were quartered in one block. The bearing of Soviet officers and N. C. O.'s towards the prisoners obviously changed for the worse, causing considerable anxiety among those remaining, who thought that they were being especially discriminated against.

*45. Starobielsk II. M. A. Special Group.*

During the preparations for departure on April 20th, 1940, after reading the normal list, comprising about 200 persons, the Soviet N. C. O. announced in a loud voice that he would now read out a special list of 65 names (normally the number in a group was not announced), who would also leave on that day but were not to mix with the ordinary convoy. They were to remain entirely separate while assembling in the church and when marching out of the camp. He also stated that this special group would not be searched in the church, but was to be present when all the departing prisoners were identified. After this announcement he read out the names on the special list. When he had carefully repeated twice each surname, christian name and rank, it was discovered that the list included one officer who was dangerously ill in the local hospital and another who had already left the camp with a previous convoy. So the special group finally consisted of only 63 people.

As nothing of this kind had ever previously occurred at Starobielsk this event naturally aroused interest and consternation among the prisoners. They were convinced that the normal groups were to be liberated, so what did the formation of this "special group" mean? They tried in vain to find out the reason for this discrimination. The proportion of ranks and of prisoners coming from this or that region of Poland was more or less the same as in previous groups; there were perhaps a few more cadet officers, of which there were barely 30 in the camp. Some of the prisoners noticed that the group included the majority of Starobielsk "Volksdeutsche" and a comparatively large number of those known as "Reds" by their fellow-prisoners. Among them was notorious Colonel Zygmunt Berling.

The special group was separated from the normal convoy immediately after leaving the camp and arrived at Pavlishtchev Bor a few days later.

In the course of the journey by way of Voroshilovgrad and Kharkov, some of the prisoners belonging to this group succeeded in exchanging a few words with a railway worker, who was cleaning the trucks at Kharkov. This worker is said to have told the prisoners to get ready to disembark, as all "your people" were taken off the train at Kharkov and continued their journey in cars. This information, however, turned out to be wrong in the case of the special group. After standing in the station for a few hours, the train moved out of Kharkov. It is noteworthy that in the church of Starobielsk a member of the special group asked a political agent why, contrary to normal practice, full particulars were being taken of all persons included in that group. The political agent is said to have answered: "I can only tell you that you are the lucky ones."

*46. Starobielsk II. N. Final liquidation of the Camp.*

The last party, consisting of 18 officers, left the camp on the afternoon of May 12th, 1940, after a very thorough search during which several of the officers were stripped naked. The subsequent fate of the 10 officers who remained in the camp is unknown.

The last group of 18 officers, after passing through the gates of the camp, was surrounded by numerous guards, whose behaviour towards the prisoners was exceedingly brutal. In the yard in front of the Soviet Command building, they were loaded into lorries and quickly driven to the station, where they were put into a prison truck. The guards called individual officers by name, pushed them brutally into the truck and along the corridor into the compartments. When all were inside, the barred doors and windows were covered with blankets so that the compartments were completely blacked out. The truck moved off in the early morning of the following day. While the train was in motion, the blankets were removed, but were hung up again at every halt. During several days of travelling the prisoners lost all idea of direction, but were still convinced that they were returning to Poland and wrongly assumed that they were passing through Smolensk, Minsk, etc. On May 16th the truck halted in a small station. To the surprise of the prisoners the blankets were not hung up and they were able to read the name of the station—Babinino. After a long delay they were transferred to waiting lorries. Having travelled for half an hour, during which time they were subjected to brutal treatment by the guards, they arrived at the camp of Pavlishtchev Bor, where they were well received. On arrival they were sent to the baths and then conducted into the camp grounds where, to their surprise, they

found all the members of the special group. As one night during the journey in the prison truck, two officers from Wilno, had been taken away, only 16 officers arrived at the camp of Pavlishtchev Bor on May 16th. These, with the 63 officers of the special group, made up a total of 79 prisoners who thus escaped the fate of the other prisoners from Starobielsk.

47. *Starobielsk III. (June 1940-June 1941). Transit Prison Camp.*

After the evacuation of all officers from Starobielsk, the camp was used for a year as a transit camp for Civil prisoners on their way to labour camps in the North-East. Among these prisoners were many arrested by the Soviet authorities in Poland, the majority as a result of attempts to cross the frontier in order to join the Polish Forces in the West. Many of them were Polish officers. All these prisoners remained several weeks or months at Starobielsk, after which they were formed into convoys and deported to labour camps, mostly in the far North (Kolyma).

The numbers and the population of the camp during this period were constantly changing as many convoys were coming from and going to prisons, and to labour camps. There were on an average 8,000 to 10,000 in the camp. It is reported that the total number of prisoners who passed through Starobielsk III in the course of one year amounted to over 100,000, possibly an overestimate. Among them were many Polish officers.

The reappearance of Polish officers among Soviet prisoners in labour camps in the far North of Russia after the Polish-Soviet Agreement gave rise to a false impression among Polish officials that they were on the track of Polish prisoners of war from Starobielsk II.

The last large convoy to Kolyma via Madagan left Starobielsk in June 1941. The camp was then emptied and once again entirely changed its character and purpose.

48. *Starobielsk IV. (July 1941-August 1941). Camp for Polish prisoners of war from the ranks.*

Considerable numbers of Polish prisoners of war from the ranks were kept in various camps situated in Soviet-occupied Poland and the neighbouring territories of the U. S. S. R. They were employed in building roads for instance the motor road Kiev-Lvov-Przemysl with its many branches, and airfields. In connection with this work many camps comprising in some cases hundreds and in others thousands of prisoners were transferred from one place to another according to the demand for labour. Some dozen of these camps were in existence until the outbreak of the Soviet-German war in June 1941, when they were hastily evacuated and the prisoners driven Eastwards by forced marches. They often had to march for several hundred miles before reaching areas in which the railway services were running. In the course of these marches, which lasted on an average about 3 weeks, many of the columns were machine-gunned and bombed by German planes. A great many prisoners, unable to keep up with the speed of the march on the extremely inadequate rations, fell out on the way. These were usually finished off by the N.K.V.D. escort.<sup>1</sup>

The surviving prisoners were loaded into goods trucks and taken to various camps, including Starobielsk.

After their arrival at Starobielsk in the middle of July 1941, these prisoners were grouped in several different camps. After a few weeks rest, they were trans-

<sup>1</sup> The following camps are among those which were thus transferred: the camp accommodating about 1,400 prisoners engaged on building the Sknilov aerodrome near Lvov—prisoners were marched to Zlotonosha, from where they were sent by train to Starobielsk; the camp at Podvoloczyska, containing about 4,000 prisoners, who also marched to Zlotonosha; the camp accommodating about 1,000 persons engaged on building an aerodrome at Teofilov—prisoners marched for 26 days until they reached Zlotonosha; the camp at Brody, in which were about 1,800 persons who marched for 24 days to Zlotonosha and at Zborov were bombed by German planes—about 1,400 persons from this camp reached Starobielsk.

The following are the reports of two prisoners of war who were evacuated in this way. "On 29.6.41 we started the march via Voloczyska and Vinnica to Zlotonosha. The route is marked by our graves. Those who could go no further were just shot. We marched under appalling conditions. The heat was terrific dust and sweat formed mud on our faces and in our mouths. Anyone who tried to get a little water from ditches or holes by the roadside was beaten with rifle butts and prodded with bayonets. The inhabitants of the villages through which we passed were told we were German prisoners . . . We marched 70-80 kilometres per day". (Witness 24.)

"On 24.6.41, after the outbreak of war, Polish soldier prisoners were taken from Brody to Tarnopol via Zloczov. We marched for about 24 days . . . During the march to Zloczov the soldiers were so exhausted that many of them were left behind. These were either shot or killed with the bayonet by the Bolshevik escort . . . We were attacked en route by German planes . . . 40 Polish soldiers were killed and 150 wounded. In the middle of July 1941 the surviving prisoners arrived on foot at the town of Zlotonosha". (Witness 26)

Inmates of Soviet prisons in Poland were evacuated by the Soviet authorities in a similar manner. For instance about 2,000 prisoners from the prison in Vilejka Povitova went on foot to Borisov in a few days.

ferred to the Polish Army in the U. S. S. R. which was just beginning to be organised as a result of the Polish-Soviet agreement of July 30th, 1941.

The head of the Polish recruiting Mission, Lt. Col. Wisniowski, on arrival at Starobielsk on 24.8.41 was informed that a total of 11,952 Polish prisoners of war were grouped in three camps.

From this total the recruiting commission took more than 11,000 for the Polish Armed Forces, among them 14 officers who had hitherto concealed their rank from the Soviet authorities.

According to Colonel Wisniowski the Soviet authorities stated that there was a fourth camp at Starobielsk for Poles who had voluntarily taken Soviet citizenship and were therefore not eligible for conscription to the Polish Army.

As a result of the handing over of prisoners of war from Starobielsk IV to the Polish recruiting Mission the Polish authorities were at first unaware that the officer prisoners of war from Starobielsk II were not returned to them after the conclusion of the Polish-Soviet agreement. This misapprehension was due to the fact that they were under the impression that among the Polish prisoners who rejoined the Polish Forces from Starobielsk IV were the original inmates of Starobielsk II. In fact, of course, all the officers of Starobielsk II had been removed from there sixteen months before.

#### CHAPTER IV. THE CAMP AT OSTASHKOV

##### 49. *Description of the Camp*

The Ostashkov camp, lying about ten miles from the country town of the same name in the province of Kalinin (former Tver), was situated on the site of a famous monastery on one of the islands in the Seliger lake. The dozen or more buildings on this island were in a very dilapidated state (see the map at the end of PART ONE).

##### 50. *Ostashkov I. (September–October 1939) Camp for prisoners of war from the ranks.*

In the first days of October 1939, the Ostashkov camp contained over 12,000 Polish prisoners of war, among which there were only a few hundred officers. The majority of these prisoners had been arrested in the North-Eastern territories of Poland. Besides soldiers, there were in the camp large numbers of civilians—old men, women and children. All these people were crowded together in filthy conditions in the various buildings, which were equipped with many tiers of bunks, on which a space of about 8 inch. was allowed to each individual. Most of them were without, warm clothes or, indeed, any possession having been taken off, in the clothes in which they stood up. The food was so inadequate that they were half starved. Although the camp was situated on an island in a large lake, the prisoners had difficulty in obtaining water, for drinking, not to mention for washing themselves or their clothes. In these conditions the camp was naturally swarming with bugs and lice.

As at Kozielsk and Starobielsk, the excavation of the Ostashkov camp started at the end of October or beginning of November. All civilians—old men, women and children—nearly all the private soldiers and most N. C. O.'s left the camp in groups. Some were sent home and others thrown into forced labour camps. During the second half of November a further two convoys of about 600 persons, mostly civilians and soldiers of the reserve, left Ostashkov for Brest Litovsk, where they were exchanged for Polish prisoners in German hands who had applied to return to Soviet-occupied Poland.

##### 51. *Ostashkov II (November 1939–May, 1940). Camp for police, Military Frontier Guards, etc. A. Inmates, conditions, camp authorities, propaganda and investigations.*

When only about 500 of the former inmates remained at Ostashkov, convoys began to arrive composed mainly of officers, N. C. O.'s and men of the Intelligence Service, Military Police, Military Frontier Guard, police, prison guards and members of ex-servicemen's settlements in the North-Eastern territories of Poland. In the middle of November 1939, there were about 6,500 persons in Ostashkov. This number was more or less maintained until April 1940, with only slight variations resulting from the arrival and departure of individuals and small groups.<sup>1</sup>

<sup>1</sup> Among others, Father Kantak (see above page 23) was brought to Ostashkov during the winter of 1939 and after a few weeks moved to Kozielsk. About the middle of February a group of lawyers, priests and a few dozen N. C. O.'s and officers of the police arrived at Ostashkov. Among the priests was Protestant Superintendent Potocki, who was accused of working for the Intelligence Service (see p. 78 above).

There were about 400 officers at Ostashkov of which about 300 were officers of the police, militarised in September 1939. There were also a few dozen civilians, mostly lawyers, landowners and ex-service settlers.

At Ostashkov II, as at Kozielsk II and Starobielsk II, the treatment of prisoners varied according to their rank. Senior officers lived in a separate building in better conditions. In the two rooms for staff officers there were even beds with sheets, cupboards, chairs, etc. The rest of the officers occupied bunks in not too crowded rooms. The ranks lived in worse conditions in 19 other buildings.

Staff officers were officially exempt from work, which was not absolutely compulsory even for junior officers. At the most junior officers were used for clearing away snow from the precincts of their living quarters, mostly, however, they supervised the camp workshops, where they were responsible for the discipline and work of the ranks. Polish Doctors worked in the camp hospital and clinic. The bulk of the prisoners, among whom were many qualified craftsmen, worked in the camp workshops as tailors, shoemakers, bakers, laundry hands, electricians, carpenters, locksmiths and in sawmills and smithies. Prisoners also repaired buildings and constructed dykes and bridges connecting the island with the mainland. Police-men were as a rule treated worse than the soldiers and detailed for heavier work. For work outside the camp only prisoners in uniform were used; no-one civilians clothes was allowed outside the camp for fear they should escape.

Although the number of prisoners in the camp was 50% less than in October, 1939, the inmates complained of overcrowding and dirt. About New Year some of the prisoners were issued with palliasses and blankets. The food was the same as in other camps and the prisoners found it insufficient.

At the time when representatives of the Soviet Jewel Trust came to Ostashkov, as to Kozielsk and Starobielsk, in order to buy watches and other articles of value from the prisoners, the camp shop was comparatively well stocked with foodstuffs, which were sold for very high prices. Very soon all goods were sold out, but the shop was not restocked.

As at Kozielsk and Starobielsk, propaganda was carried out through film, which were fairly popular. There was also a radio, Soviet papers and propaganda literature. Propaganda talks were held but without much success. Political agents often visited prisoners in their living quarters, started friendly conversations and discussions, played chess with them and so on. Such scenes of "fraternisation" between members of the N. K. V. D. and prisoners were sometimes photographed and even filmed.

With the consent of the Soviet commandant a choir and orchestra was organised. But as the musicians were compelled to restrict themselves to Russian songs and music, these cultural activities ceased after two performances. Although this camp contained a few intelligentsia, religious and cultural work was carried out without the knowledge of the camp authorities just as in other camps.

Officers, who were for the most part isolated from the ranks, tried to maintain contact with them, but met with strong opposition from the Soviet authorities.

The Soviet camp commandant, Borysovietz, was a 1st Lieutenant or Captain of the N. K. V. D.; he seldom came into contact with the prisoners. The person most closely concerned with the prisoners was the political director of the camp, who was also head of the group of Soviet N. K. V. D. officials responsible for the investigations. These investigations were similar in character to those in other camps. Exact biographical details of each prisoner were required by the authorities, who also tried to find out which individuals had been working for the Intelligence Service. They were particularly interested in any political activities carried out by the prisoners and in their party affiliations.

Interrogations, which were repeated several times, lasted whole days or, more frequently, nights. There some cases of individuals being taken away from the camp for further interrogation. Many prisoners were sent to camp arrest immediately after interrogation, usually for refusing too emphatically to cooperate with the N. K. V. D. The prisoners complained particularly about the last interrogation, before the liquidation of the camp, for which several dozen pupils from the N. K. V. D. school were specially brought to the camp for practice. They were exceptionally brutal towards the prisoners, abused them excessively and even beat them.

In addition, innumerable records were made concerning the prisoner's nationality, social position, the social status of their family, date of capture, knowledge of languages and foreign countries, relations or friends in Russia, etc. Photographs and finger prints were taken of every prisoner. All these details were collected in individual files, containing each prisoner's dossier.

In December 1939, permission was granted for everyone to send one letter or telegram a month to his family.

*52. Ostashkov II. B. Liquidation of the camp*

In the spring of 1940, rumours began to circulate among the prisoners that the camp was shortly to be liquidated and the inmates freed and "sent home". These rumours probably originated with the camp authorities. Yet another "record" was taken, concerning the prisoners' former place of employment and the nature of it and they were asked how and where they wished to settle. Enquiries were also further made about lost possessions and a special medical commission arrived to test each individual's fitness for work. Then in March 1940, Polish decorations and money, "deposited" at the time of earlier searches, were in part returned to the prisoners. All this completely convinced the inmates that they were soon to return home, particularly the police, who did not consider themselves soldiers and therefore saw no reason why they should be kept in a prisoner of war camp for the duration of the war.

In the first days of April 1940, the liquidation of the camp began. From 3.4.40 onwards, names of those to leave were read out almost daily, occasionally with a few days interval. Prior to their departure, prisoners had to go to the cinema with all their possessions for search.

After they had been searched, the prisoners were immediately taken out of the camp and either driven in lorries or marched on foot to the nearest railway station. From the moment of leaving the cinema, all contact was cut between those departing and those remaining in the camp. Hence the latter knew nothing of the method of search in the cinema or of what happened to the convoys.

In order to give a more festive air to the departure, the camp authorities organised a band to play as the convoys left. This produced an excellent effect on the prisoners. According to rumours originating from Soviet officials, the convoys travelled the Brest Litovsk in passenger coaches, were well fed and could establish contact with the local population. One of the prisoners, having heard from a Soviet official that convoys were escorted by a strong guard with machine guns and police dogs, suggested to his fellows that those leaving Ostashkov were not sent home, but were rather taken to labour camps in the North of Russia. He was decrised as a scare-monger.

The daily convoys were composed of between 60 and 300 people. Prisoners remaining in the camp tried in vain to discover by what system the lists were drawn up. In each convoy there was a preponderance of policemen, who were in the majority at Ostashkov, together with soldiers, Military Frontier Guards, civil frontier guards and a few officers.

About twenty of the first convoys disappeared without trace and nothing is known of the fate of the prisoners. From the convoy of 28.4.40 alone a few dozen people were found, and it is on their reports that the fragmentary description of that convoy's fate is based.

This was one of the largest convoys, containing about 300 people. On arrival at the cinema the prisoners concerned were divided into groups of 60, according to lists, and were then searched. Articles issued to them in the camp were taken away, as well as any sharp instruments, notes and papers. After the search, each group in turn was taken over to the mainland, where they were met by a very strong guard, consisting of about 30 armed soldiers with two machine guns and a few specially trained police dogs. At the Ostashkov railway station each group was loaded separately into a prison truck. When all the groups were on board the train moved off and after a few days arrived at Viazma station. Here it stood for several days, during which time some of the trucks were taken off, with the prisoners still inside, and were sent further in an unknown direction.<sup>1</sup>

The last truck arrived on 4.5.40 at Babinino station, where the prisoners were disembarked and driven by road to the camp at Pavlishtchev Bor.

In the group transferred to Pavlishtchev Bor were two officers of the Military Frontier Guard, a few police officers and a dozen or more privates. All the rest of this group of 60 were policemen. On account of the strict isolation of individual groups, prisoners taken to Pavlishtchev Bor knew nothing of the composition or subsequent fate of other groups of the convoy of 28.4.40.

Two further groups were transferred from Ostashkov to Pavlishtchev Bor. One, which left Ostashkov on 13.5.40, contained about 60 persons including 5 officers. But during the journey some ten or twenty sick people were separated from this group and taken to hospital under the care of an Army doctor, Captain Trzeciak. A few days later the last group of 19 prisoners left Ostashkov. In one of these groups were, besides soldiers and policemen, a few prisoners who had been evacuated by the Polish authorities in 1939 from the Holy Cross Prison in which the worst types of criminals normally were imprisoned.

<sup>1</sup> According to other reports these trucks went to Bologodo station. (Witness 26.)

## CHAPTER V. THE CAMP AT PAVLISHTCHEV BOR (JUKHNOV)

53. *Pavlishtchev Bor I. (September–October 1939) Camp for prisoners from the ranks (see map at the end of PART ONE).*

The camp at Pavlishtchev Bor, also known as the Jukhnov camp, was one of the larger camps several times used for accommodating Polish prisoners of war in 1939–41. It was situated on the former estate of a Russian landowner. There at the end of September 1939 about 8,500 prisoners including 400 officers were held in an area of about 11 acres surrounded by barbed wire.

At that time the Pavlishtchev Bor camp was not at all adapted for accommodating large numbers of people. The inmates lived in the stables, often sleeping on the manure. There were no bunks, pillows or blankets. The food consisted of thin soup and 600 grammes of half-baked black bread once a day. There was not sufficient water even to drink, and certainly not for washing and laundry; consequently the prisoners were infested with lice. There were so few latrines, that the whole camp was fouled by excrement, infecting the water cisterns and the food, which was left lying on the ground.

Fearing an outbreak of epidemics if the prisoners were kept any longer under these conditions, the Soviet authorities began to evacuate the camp. At the end of October 1939, officers were transferred to Kozielsk and the ranks deported in groups with the assurance that they were going home. This, however, was not entirely true, for at least some of the groups from Pavlishtchev Bor were sent to the Donetz Basin, where they were compelled to work in the mines.

54. *Pavlishtchev Bor II. (April–June 1940). Camp for officers transferred from Kozielsk, Starobielsk and Ostashkov.<sup>1</sup>*

When the first two convoys of officer prisoners from Kozielsk and Starobielsk arrived at Pavlishtchev Bor at the end of April 1940, the camp was empty. After the arrival, in the first half of May, of additional groups from the three camps mentioned above, the inmates of the camp at Pavlishtchev Bor numbered about 450 persons (compared to 8,500 in the preceding period). The pleasant country surrounding the camp was particularly beautiful in the spring. Prisoners arriving there for the first time were delighted; those who had known the camp in the autumn of 1939, could not believe they were in the same place, as the life of the camp was not organized quite satisfactorily.

Always convinced that they would be liberated and sent either home or to neutral countries, the prisoners did not expect to stay long at Pavlishtchev Bor. They firmly believed that they themselves and the prisoners deported from the main camps in other groups would leave the U. S. S. R. after a certain period of "psychological quarantine" and feeding up. But a few days after the arrival of the last party from Kozielsk, most of the political agents from there arrived at Pavlishtchev Bor and started "interrogations" on similar lines to those at that former camp. At first the prisoners were told that only a few additional details were required and that they, like their fellow prisoners in other groups would in fact be liberated. The political agents attributed their own presence at Pavlishtchev Bor in such large numbers to the fact that the rest of the prisoners had already been handed over to the German authorities.

But by the end of May the excitement which had prevailed among the prisoners of the prospect of their release began to die down with the realisation that they would have to remain at Pavlishtchev Bor for some time, perhaps even until the end of the war. Ceasing to believe in the assurances of the political agents that they would be shortly returning home, they also began to doubt whether their fellow prisoners had been liberated and inclined rather to the opinion that the others, like themselves, had been sent to camps similar to Pavlishtchev Bor.

As there were in all only about 450 people in the camp, the group of officers and men who had previously declared themselves to be, "Volksdeutsche" became rather noticeable, especially as they ostentatiously spoke in German and did everything they could to get themselves recalled to Germany.

There were also there some people who in the other camps had listened willingly to Soviet propaganda among them Colonel Berling. They had been careful not to reveal their Soviet sympathies while at Kozielsk and Starobielsk, but now began to let their opinions be known at Pavlishtchev Bor. The great majority of the prisoners were not in any way influenced by them.

As the "interrogations" continued, new "cases" were brought against some of the prisoners. During the short time spent at Pavlishtchev Bor, several officers

<sup>1</sup> See diagram at the end of PART ONE.



were taken away, most of them to prisons in Moscow. A few of these, after some months of special interrogations rejoined their fellow prisoners, who were by that time at Gрязovietz.

In the first days of June 1940, a large quantity of planks arrived at the camp and the prisoners, who had not hitherto been obliged to work, were ordered to build tiers of bunks for dormitories. This indicated that the population of the camp was to be considerably increased in the near future. Some of the prisoners, skeptical about reports that the rest of the prisoners from Kozielsk, Starobielsk and Ostashkov had been "sent home" regarded this as a confirmation of their doubts and expected the arrival of at least some of their former fellow-prisoners. This expectation, however, was not fulfilled, for on the morning of 13.6.40 the prisoners were ordered to prepare themselves for departure. They travelled for several days via Moscow to the camp at Gрязovietz, near Vologda (see the map—also a diagram).

*Table of convoys from the main camps to Pavlishtchev Bor*

Date of departure	From	Date of Arrival at Pav. Bor	Number of persons in convoy
26.4.40.....	Starobielsk.....	1. 5. 40	63
26.4.40.....	Kozielsk.....	26. 4. 40	150
29.4.40.....	Ostashkov.....	4. 5. 40	60
12.5.40.....	Kozielsk.....	14. 5. 40	95
12.5.40.....	Starobielsk.....	17. 5. 40	16
13.5.40.....	Ostashkov.....	18. 5. 40	45
16.5.40.....	Ostashkov.....	20. 5. 40	19

14.6.40—Approximate number of prisoners at Pavlishtchev Bor, 448.

55. *Pavlishtchev Bor III (June 1940–June 1941). P. O. W. camp for former internees from Lithuania and Latvia.*

After the camp at Pavlishtchev Bor had been emptied of all the prisoners a few convoys of N. C. O.'s and men, who had been interned in Lithuania and Latvia, were brought there in the second half of June and in July and August 1940. The total number of prisoners at Pavlishtchev Bor at this period was about 3,500 persons.

As in the camp for internees at Kozielsk (Lozielsk III. see p. 49), detailed "evidence" was taken regarding all those interned at Pavlishtchev Bor, Communist propaganda was also disseminated, but with very little success.

In spite of their transfer to Soviet territory the official legal status of the internees remained unaltered. The camp authorities were constantly emphasizing their strict adherence to the appropriate regulations of international law. In accordance with these regulations, during the first few months internees were used exclusively for work inside the camp. It was not until the spring of 1941 that they were sent to work outside. When this occurred the internees invoked "international regulations" and a dispute arose, which probably hastened the decision of the Soviet authorities to deport all internees capable of work, to the far North of Russia for hard labour, like ordinary criminals.

In May 1941, convoys began to leave Pavlishtchev Bor (and simultaneously Kozielsk) for Murmansk. By June 1941, the camp at Pavlishtchev Bor was already quite empty.

#### CHAPTER VI. THE CAMP AT GRIAZOVIETZ

56. *(June 1940–September, 1941.) Officers' Camp.*

The camp at Gрязovietz (see the map), was first used to accommodate Polish prisoners of war, both officers and men, in September 1939, when there were about 3,000 inmates. At the end of 1939 the Poles were taken away and replaced by the Finnish P. O. W.'s; the camp being used again for Poles in June 1940 (see the diagram). The camp itself was an ancient castle around which one storied buildings had been erected after the Revolution. It was situated about 6 miles from the railway station of Gрязovietz, in Vologda province.

Prisoners brought to Gрязovietz from Pavlishtchev Bor on 18.6.40 lived on the whole in worse conditions than in the latter camp, but were much better off than they had been in the three large camps. Relations with the authorities were reasonably good until the outbreak of the German-Soviet war, when they considerably deteriorated.

As it was a "show camp" for Polish prisoners of war in the U. S. S. R., Giazovietz enjoyed various privileges and a certain amount of autonomy. Particularly important from the prisoners' point of view was the fact that after a certain time they were allowed to run the camp kitchen themselves and were also permitted to grow vegetables in the camp grounds.

The "investigations" begun in the large camps and continued at Pavlishtchev Bor were still carried out at Giazovietz by the same groups of political agents, who had been transferred there along with the prisoners. In the first months at Giazovietz the political agents, as before assured the prisoners that they were to be sent home "like your friends". After a time, however, they ceased to talk in this way and the prisoners were told that they would remain in the camp until the end of the war.

Either in connection with the investigations or for some other reason, individual prisoners were from time to time taken from Giazovietz to prison for special interrogations and a few others who had been removed, at one time or another, from three large camps were brought in. During the winter a dozen or more of the 30 declared Volksdeutsche were released at the request of the German ambassador. The total number of prisoners remained at about the 350-400 throughout this period.

The majority of prisoners stayed at Giazovietz for about one year, themselves organising the life of the camp; the Soviet authorities giving them a fairly free hand. A "club" and library were opened in the camp; permission was given for books to be obtained from outside the camp and for the holding of organised instruction in various subjects; a special official, a woman was put in charge of cultural and educational activities by the Soviets.

The prisoners were not forced to work, although in principle work was compulsory for the ranks and junior officers. Prisoners were employed mostly for tasks inside the camp, particularly for clearing up the ruins of a church previously demolished. When attempts were made to use prisoners for work outside the camp disputes arose. The prisoners, appealing to international conventions and to the regulations at Kozielsk and other camps, protested against being thus employed, but the camp authorities replied that "bourgeois" rules and conventions were not binding on Soviet officials, and from time to time sent groups of them to work outside the camp.

The rather better treatment of prisoners at Giazovietz was due to the fact that it was a "show" camp and that the Soviet authorities' planned to use the prisoners for political ends. In the autumn of 1940 the formation of a red Polish Army in Russia with the help of captive officers was mooted. "Just a year ago", said Stalin in a conversation with the Polish ambassador on November 14th 1941, "I remember that it was exactly a year ago, that I spoke to Wanda Wasilewska and asked her to try to find Polish officers who would undertake the formation of a Polish Army in the U. S. S. R., I emphasise that it was a year ago, that is at the time when the nonaggression pact with the Germans was still in force. Wasilewska did not find any such officers."

At the same time as these plans of the highest state authorities of the U. S. S. R. were having a good influence on the treatment of prisoners at Giazovietz the political agents in conversation with the prisoners, began to hint delicately that the latter should not forget that they were soldiers and that they, therefore, ought to try to keep themselves in training as they might be needed in the future. Rumours of the formation of a Polish army in the U. S. S. R. were deliberately circulated in the camp.

Systematic propaganda and political action among the prisoners increased. The woman in charge of cultural and educational activities as well as numerous political agents organised frequent discussions and lectures and engaged the prisoners in "private conversations", endeavouring to convert them to the Soviet ideology and to the idea of "Polish-Soviet co-operation". These activities slowly began to produce positive results, but on a much smaller scale than the Soviet authorities had expected. This comparative success of the persistent official propaganda at Giazovietz, in contrast to its complete failure at Kozielsk, Starobielsk and Ostashkov was quite natural. The "pro-Soviet" group, recruited mainly from officers transferred from Kozielsk and Starobielsk, comprised about 50 persons, representing about  $\frac{1}{2}\%$  of the population of the large camps (8,500 persons). After the liquidation of the three large camps, all these individuals came to Giazovietz, where the number of inmates varied from 350 to 400 persons. Here, therefore the group of 50 persons represented not  $\frac{1}{2}\%$  but more than 12% of the total population. This was a small minority, but a minority which was no longer a "quantite negligeable", particularly in view of the support given to them

by the camp authorities. This group feeling itself to be in a stronger position at Giazovietz began to come out into the open.

While the majority of the prisoners assumed a negative attitude towards communist propaganda and boycotted the meetings and lectures, a certain number of people refused to participate in this boycott and not only ostentatiously took part in meetings arranged by the camp authorities, but openly maintained close contact with the political agents and expressed pro-Soviet sentiments in public. This led to a disturbance among the prisoners which the authorities tried to represent as anti-semitic activity, attributing it to an "anti-Soviet organisation." With the object of exposing this "organisation", the authorities arrested some of the prisoners and sent a few of them to Moscow for "intensified investigations".

The pro-Soviet group later formed itself into the so-called "Red Corner" and started to work on the Soviet political educational pattern, studying the history of the Communist Party, the Soviet Constitution celebrating the anniversaries of the Revolution etc.

After the "Corner" had been functioning for a few weeks, the attitude taken towards it by individual prisoners became more or less apparent. On 10.10.40 the authorities withdrew from the camp 7 high ranking officers who, it is believed, were willing—in the opinion of the Soviets,—to co-operate with them in carrying out their plans for the formation of a red Polish Army. In mid-November 6 more officers were taken away, most of whom had taken an active part in the work of the "Corner".

These two groups of prisoners travelled by passenger train to Moscow, where in the Butyrki prison conversations took place which will be recorded in the following Chapter. During these conversations, some of the prisoners were "disqualified" on account of their too stubborn attitude, and were transferred to a special camp at Putyvl. Here they were kept under very good conditions until June 1941. They were then sent back to Giazovietz where they remained isolated from the other prisoners until 1.8.41, that is until after the signing of the Polish-Soviet agreement.

The fate of the officers who "qualified" for further discussions will be also described in the next Chapter. They, and the great majority of the prisoners realising that they were to stay at Giazovietz for some considerable time, demanded the return of the right to correspond with their families, which had been suspended since April 1940, when the evacuation of the three large camps had begun. After some delay, the authorities finally gave permission for the resumption of correspondence in October 1940, but imposed additional restrictions on the contents of letters to those imposed before in the three large camps. Prisoners were forbidden to mention the name of Giazovietz and ordered to give their address as: Moscow, General Post Office, Post Box No. 11/c-12. They were also forbidden to refer to other persons in the camp or to give any information concerning their fellow-prisoners. (Witness 5).

This last restriction was all the more embarrassing because, after the long interruption in correspondence with Poland, a shower of letters arrived from people there enquiring about the fate of fellow-prisoners and friends who had been with the Giazovietz prisoners in the large camps. It should be mentioned that from April-May 1940, letters from Poland addressed to the large camps at Kozielsk, Starobielsk and Ostashkov were returned by the Soviet postal service stamped "Retour-Parti". At first the families in Poland did not realise the meaning of this, attributing it to the probable transfer of the addressees to another camp. So when after an interval of six months some of them received letters from their relations bearing a Moscow address, the news immediately spread to others, who continued to wait vainly for news of their relations. Disturbed by the prolonged silence, many families in Poland begged their friends to ask the Giazovietz inmates for any information they could give about the prisoners from whom no letters had been received. Although it was forbidden by the camp authorities to give even negative replies, some of the prisoners nevertheless managed to make their relations understand that the persons concerned were not with them and that they knew nothing of their fate.<sup>1</sup>

These letters from Poland confirmed the belief among the Giazovietz prisoners that, in spite of the statements of the political agents, their fellow-prisoners who had left the large camps with other convoys had not been released. Assuming that they had been sent to other camps similar to Giazovietz, and desiring to clarify the matter, they raised the question several times in conversation with

<sup>1</sup> One of the prisoners was asked in a letter about the fate of "Edzio, Jocio and Marcin", who had been with him in one of the large camps. In his next letter he asked the same question of his correspondent in Poland thereby making it plain that he himself did not know the answer.

representatives of the camp authorities. The answers given by the N. K. V. D. men varied. "During the time I spent at Gрязovietz", writes one of the prisoners, "the inmates often asked about the fate of their comrades from Kozielsk, Starobielsk and Ostashkov. They always received confused and evasive answers. Major Elman was the most honest, simply stating that he could say nothing. Alexandrovitch betrayed a certain embarrassment, but, it was said, that he accepted letters addressed to the vanished people. No answers were received to these letters either in the camp or in Poland". (Witness 4.) The prisoners left no stones unturned in their efforts to clear up this question. Another prisoner writes: "When a special delegate of the N. K. V. D. arrived at the camp from Moscow, we asked him where our comrades were. He answered that there were no officers except us in prisoner of war camps and that ours was the only camp containing officers. We asked him what had happened to them, and he answered that they had gone home." (Witness 15).

From the autumn of 1940 to the late spring of 1941 the relatively tolerable life at Gрязovietz continued without any important events or changes occurring.

From June 1941 onwards, and particularly after the outbreak of the Soviet-German war, the conditions in the camp completely changed. First of all the number of inmates increased four fold.

On July 2nd over a thousand internees arrived from Kozielsk, as this camp had been evacuated on account of the German advance. This naturally affected the general living conditions for the worse. Political reasons were also to a large extent responsible for the deterioration.

As a result of the general military and political situation, the Soviet authorities decided to intensify the hitherto more discreet propaganda aimed at gaining the sympathy of the prisoners to the idea of joining the Red Army and, particularly, at persuading them to act as diversionary parachutists to be dropped behind the German lines. Counting on the violently anti-German sentiments prevalent among the Poles, and hoping that the activities of the specially trained agitators and of the pro-Soviet nests at Kozielsk had done something to break down the general unwillingness to co-operate with the Soviet authorities, the latter started an energetic campaign for the immediate participation of Poles in the fight against Germany. But they met with disappointment. With the exception of a few dozen individuals who, for one reason or another, had already decided to join the Red Army, the vast majority of Polish prisoners and internees firmly adhered to the viewpoint, that as Polish soldiers, they were subordinate to the orders of the Polish Government and Commander-in-Chief, whose commands they would obey without reserve, and that without orders they could take no decisions.

In vain the political agents tried to argue the illegality of the passing on of the presidency from Moscicki to Raczkiewicz and the illegal status of the Polish Government in London, formed by a "self-appointed president". The attitude of the prisoners remained unchanged.

This attitude of the overwhelming majority of prisoners and internees at Gрязovietz maintained not only towards the camp authorities but also towards a special commission which arrived from Moscow, caused the Soviets to decide—in accordance with their general pattern of thought—that it was the result of the activities of a secret anti-Soviet organisation in the camp. After reviling all officers as "fascists" and "Germanophiles", on 21.7.41 the Soviet authorities arrested about ten prisoners on charges of favouring the Germans and conducting pro-German activities in the camp. Those who remained were subjected to various repressive measures aimed at breaking their resistance.<sup>1</sup>

One of these measures was a considerable reduction in food rations. Hunger reigned in the camp and the prisoners started catching crows and sparrows. Despite this state of affairs they still refused to make any concessions. On the contrary, their attitude became increasingly intransigent and disputes with the camp authorities were more frequent. The situation was so tense that the senior Polish officer in the camp General Wolkowicki, appealed to the camp commandant, in the name of all the officers, saying that if the former rations were not restored a hunger strike would be proclaimed and rioting might well follow.

These feverish efforts to induce the prisoners to put themselves at the disposal of the Soviet authorities, thereby providing the latter with a political trump card,

<sup>1</sup> Those arrested on 21.7.41 were transferred from the camp to the prison at Vologda, where they were specially interrogated in connection with the alleged pro-German conspiracy. When the representatives of the Polish civil and military authorities arrived in the middle of August 1941 in Russia and hearing of these arrests they intervened on behalf of the arrested officers. In consequence, the matter was cleared up and the groundless accusations, based in false information, had been exposed. On 19.9.41 the officers concerned were released from the Vologda prison and sent back to Gрязovietz. On 9.10.41 they left Gрязovietz to join the Polish Armed Forces then in the process of formation in the U. S. S. R.

were made at the time when the Sikorski-Maisky conversations had been in progress in London for about a fortnight. These efforts completely failed. On 30.7.41 the Soviet Government concluded an agreement with the "self-appointed and illegal" Polish Government in London. That agreement regularised Polish-Soviet relations and announced the formation of Polish Armed Forces in the U. S. S. R. After its conclusion the former normal rations were restored in the camp and the harassing of prisoners ceased. Nevertheless they were confined in the camp for almost another month, as it was not until 21.8.41 that they were officially informed of the "amnesty" and the first five people were released, the Polish ambassador in Moscow having specially asked for them. On 24.8.41 representatives of the Polish Military Authorities—General Anders and General Bohusz-Szyszko, preceded by Colonel Pstrokonski arrived at Giazovietz and the recruiting of the prisoners to the "Polish Armed Forces in the U. S. S. R." began. They nearly all reported and were accepted, with the exception of the 10–20 remaining Volksdeutsche and a not much larger number of Red Army enthusiasts.

On 1.9.41 the Soviet guards were withdrawn and for a few days the Giazovietz camp became the first camp of the Polish Armed Forces in the U. S. S. R.

#### CHAPTER VII. "VILLA OF DELIGHT"

The tripartite German-Italian-Japanese Pact, concluded on 27.9.40 and the occupation of Rumania on 7.10.40 must have warned the Soviet Government of the approaching conflict with Germany; it was then that the highest political authorities of the U. S. S. R. began to consider the possibility of playing the Polish card.

The idea occurred to them of forming a "Polish National Army" to co-operate with the Soviets and of using for this purpose the officers and men of the Polish Army who were still in the Soviet Union. They immediately set about putting this plan in action. By order of the central authorities 7 senior officers from among the approximately 400 prisoners at Giazovietz were sent to Moscow on 10.10.1940 and the next day 21 more Polish officers from among the 2,500 internees at Kozielsk brought there from the Baltic States in the summer of 1940, were also sent there.

In Moscow both groups completely separated from one another were kept in the Butyrki prison but they were not treated as prisoners, but rather as "guests of the N. K. V. D.". It is not possible to establish from the information available whether the individuals composing the two groups were selected by the central authorities in Moscow or whether the choice was left to the discretion of the camp authorities. In any case the results of "interrogations" and "investigations" were undoubtedly taken into consideration when forming these groups, members of which were selected on the basis of two criteria: the first—rank, popularity and general ability and the second—willingness to co-operate with the Soviet authorities. These diverse criteria were unknown to the other prisoners, who were under the impression that the personnel for these groups were chosen at random.

Even the officers taken to Moscow did not realise the purpose of their journey and were therefore surprised by their reception. "At Butyrki", writes one of the members of the Giazovietz group, "we were not searched on arrival, as I expected. . . . The Butyrki commandant, a General of the N. K. V. D., told us that we were in the Butyrki prison. Another surprise was that we were given excellent bread, real butter, 6 lumps of sugar each and tea. Afterwards we had a bath and were taken to our cells. They told us that we were not prisoners." (Witness 20).

The same evening the highest officials of the N. K. V. D. had a long conversation with the prisoners, wishing to ascertain personally to what extent the people sent to Moscow would answer the purpose for which they were required. According to the account of some of the officers, they were interviewed on that day by: the Deputy Chief People's Commissar for Home Affairs (N. K. V. D.), Mierkulov; General Raykhman, number four in the N. K. V. D. hierarchy, and Colonel Jegorov.

An officer who was disqualified by the Soviet officials on the grounds of being unwilling to co-operate gives the following account of the proceedings: "Our hosts showed a certain courtesy towards us, but immediately began to talk about our attitude towards the Germans and Soviets. They wanted to find out to what extent we were prepared to fight the Germans and were interested in our outlook on the political situation in Europe as a whole—particularly with regard to Poland. They firmly denied the existence of a Polish Government in London, attempting to prove the illegality of Raczkiewicz's assumption of the office of President of Poland, and consequently the illegality of the whole Government,

formed by the "self-appointed" president. (Witness 18). Because he questioned these views, this officer was separated from his fellows and put into a cell by himself. The remaining six officers were considered eligible for further discussions and the same day were transferred from Butyrki prison to Lubianka, the internal prison of the N. K. V. D. Here for a period of nearly three weeks the heads of the People's Commissariat for Home Affairs kept them under their personal observation and influence.

After numerous conversations between the highest officials of the N. K. V. D. and individual prisoners had taken place, at the end of October several collective interviews were held, first with Mierkolov and then with Beria,<sup>1</sup> himself. In these last discussions a concrete proposal was put forward for the formulation of "national" Polish units in the Red Army, which would co-operate with the latter and receive its help and support.

The representatives of the Soviet authorities emphasised that they were concerned with quality rather than quantity and proposed to start with one well organized and well equipped armoured division, "as strong as an armoured fist" in the words of Beria, who hoped by this description to inspire his listeners. The Polish officers present at these conversations agreed in principle to the Soviet proposal, but doubted whether it would be possible to recruit sufficient officers for the formation of a division from among their fellow-prisoners at Giazovietz. Lt. Col. Berling pointed out that at Giazovietz there was only a very small minority of prisoners-of-war from the three large camps and expressed the hope that it would be possible to find among the whole mass of other prisoners sufficient volunteers for the organisation of a division. To this Beria is said to have replied that the Soviet authorities had made a "great mistake" about the other Polish officers and that they could not be counted on for the proposed organisation of a "Polish" division.<sup>2</sup>

After their agreement to the Soviet proposals had thus been obtained, the group of six Polish officers was transferred from the Lubianka prison to a luxurious villa, later generally known as the "Villa of Delight", situated about 30 mls. from Moscow in the neighbourhood of Malakhovka.

Here the future organisers of the Polish red army were to go through special ideological and political training. Though still nominally prisoners and guarded by the N. K. V. D., they enjoyed conditions luxurious by Soviet standards: well-furnished rooms, numerous servants, good food, a well-stocked political and military library, and a wireless. Their correspondence, though censored, was in practice unrestricted and they could obtain passes for Moscow. In return for this they were obliged with the help of two Soviet political officers attached to them to read what they were given, listen to the wireless and "think".

After a few days at Malakhovka, one of the six officers began to doubt whether he was doing the right thing and having communicated these doubts to Soviet officers, he was sent back to the Butyrki prison and put into the cell occupied by the officer who had previously been disqualified. In the middle of November there arrived from Giazovietz a further six officers, whom Lt. Col. Berling had mentioned in previous conversations as suitable persons to be used for the carrying out of the Soviet plan. Lt. Col. Berling in spite of his low rank, was clearly assuming the leadership of the whole group, and shortly afterwards the N. K. V. D. appointed him "president of the Malakhovka community".

While the group chosen by the Soviet authorities at Giazovietz expanded as a result of Colonel Berling's initiative and energy, the group of internees from Kozielsk (III), designated for the same task, diminished considerably during the combing out process in Moscow. As already mentioned (page 125) from among the 2,500 internees at Kozielsk only 21 were sent to Moscow. Here like the Giazovietz prisoners, they were first confined in the Butyrki prison, where they were kept under close observation and afterwards classified. This went on for considerably longer than in the case of the Giazovietz group. After several weeks of "observation" at Butyrki 11 officers were sent to the Lubianka prison, where further observation and discussions lasted several weeks more. Five junior officers were finally chosen as "candidates" for the "Villa of Delight" and the remaining six were sent back to Butyrki.

<sup>1</sup> People's Commissar for Home Affairs.

<sup>2</sup> During October and November 1940, the Russians tried to draw Polish soldiers into their service. To this end conversations took place with out officers. During these discussions Lt. Col. Berling suggested that it would be possible to recruit volunteers from Kozielsk. In the presence of Lt. Col. Berling, Colonel Gorczynski, Lt. Col. Bukojenski and Lt. Col. Tyszynski. Beria replied "My s nimi zdielali bolsuhu oshibku". (We have made with them a great mistake). This meant that prisoners from Kozielsk were not to be considered. At about the same time Mierkulov, discussing the same subject with me, said "u nas wyszla kakaia to oshibka" (with them some mistake has occurred for us) so evidently prisoners from Kozielsk were out of question." (Witness 20.)



This selection having been made, the five "chosen" junior officers were visited in their cells on Christmas Eve 1940, by Colonel Gorczynski and Colonel Berling. The former was dressed in the full uniform of a Colonel of the Polish Army, the latter in civilian clothes. The purpose of their visit was . . . to dine with their brother officers on a day so depressing for those separated from their families in Poland. The officers were thunderstruck by this visit. When after dinner both Colonels began to speak of the formation of a Polish Army in the U. S. S. R. and of close collaboration with the Soviets, one of the younger ones firmly opposed them and expressed his indignation at such an attitude being taken by high-ranking officers. He was consequently sent back to Butyrki where he shared a cell with the two disqualified officers from Gрязovietz. The four remaining officers were transported to Malakhovka. One of them gives the following description of his first impression of the "Villa of Delight": "On alighting (from the car), we were met by a group of people all speaking in Polish but in various costumes—half military and half civilian. The inhabitants of the villa received us cordially, assuring us that we would have every convenience at our disposal, even a car to take us to the cinema in Moscow. After an elaborate evening meal, served by a good-looking and well-dressed maid, we were immediately invited to Colonel Berling's room. He informed us that he was head of the group and that a great task awaited us. When I asked him whether it was possible to leave the villa he answered that I might do so at any time, but that I should be put somewhere where I would not be able to see the light of day". (Witness No. 21).

The arrival of four internees completed the formation of the "collective", which for nearly six months intensively studied the communist doctrine. Besides instruction by means of reading, listening to the radio and discussions with Soviet political officers, each member of the "collective" was required to deliver a lecture from time to time in accordance with the programme laid down. In this lecture he had to demonstrate the progress he had made in mastering the communist theory. One of the members of the "course" describes the programme and its execution as follows:—

a. Education in the communist spirit of a cadre of future commanders of Polish red units.

b. Preparation of a specially trained "nest" for future propaganda activities and political action among the Poles.

c. The basic slogan "Red Poland, the 17th Soviet Republic".

In accordance with this political programme, lectures were arranged, during which the pupils read out essays on revolutionary and communist subjects both political and military. The purpose of these essays was to convert us to the socialist regime and convince us that the capitalist regime was already on its last legs. (Witness 21).

After four months a further two "pupils" failed: the writer of the above report and another (the third) officer from the group of seven from Gрязovietz. On 26.3.41 they were sent back to the Butyrki prison, where they shared a cell with the three previously "disqualified" officers. The remaining thirteen officers finished the "course" and were considered as an entirely pro-Soviet "collective".

On 1.5.31 the "pupils", dressed in civilian clothes, watched the military parade on the Red Square in Moscow.

On 25.6.41, after the outbreak of the Soviet-German war, the inhabitants of the villa were taken to Moscow and quartered in apartment 16, 11/22, Neapolitan Street. Here they were guarded by armed N. K. V. D. units and were forbidden to leave the apartment even during German air raids. In Moscow it was suggested to members of the "course" that they should take part in Soviet diversionary activities in Poland. No-one volunteered but they were not subjected to much pressure from the Soviet authorities who still counted on forming Polish units, of which the "pupils" were to form the political cadre. When the intransigent attitude of the majority of Gрязovietz prisoners destroyed all hope of forming Polish Soviet units (see pp. 118 above) Berling informed the "pupils" in the middle of July 1941, that there would be no Polish army in the U. S. S. R. and tried to induce them to join the Red Army.

At the same time the "pupils" are said to have received Soviet passports, a grant of 1000 roubles each and permission to move about freely in Moscow. But the political situation again changed and on 30.7.41 the Polish-Soviet agreement was signed. In consequence of this the "pupils" did not go to the Red Army but reported, as Polish prisoners of war freed by the Soviet authorities, to the Polish Military Mission which arrived in Moscow on 14.8.41. They were accepted and, numbering 13 in all, were sent to organisation centres of the Polish Army in the U. S. S. R.

## CHAPTER VII—SUMMARY OF PART ONE.—GENERAL OBSERVATIONS ABOUT P. O. W. CAMPS.

1. *Numerical Data.*

The above description of the life of Polish prisoners of war in the three large camps—Kozielsk, Starobielsk and Ostashkov—was devoted mainly to the period during which those camps were used as officers' camps (Kozielsk II, Starobielsk II) or as special camps for police, Military Police and Frontier Guards (Ostashkov II).

That period extends from November 1939 to May 1940, when all three camps were evacuated as described above.

The total numbers of inmates who passed through the three camps during that time were approximately as follows:

Kozielsk	4, 500
Starobielsk	3, 920
Ostashkov	6, 500
	14, 920
Included in this total were—	
Officers	8, 820
Other ranks—police Military Police, military Frontier Guard (Ostashkov II)	6, 100

Out of this total less than 400 persons were found alive these having either arrived at Giazovietz via Pavlishtchev Bor or as in the case of a certain number having been taken individually to prisons for further "interrogation" before the liquidation of the camps and subsequently released under the "amnesty" resulting from the Polish-Soviet agreement of 30.7.41.

The rest, that is about 14,500 persons, including about 8,400 officers, were not found alive.

Found alive—3%.

Disappeared—97%.

2. *Central authorities responsible for Polish prisoners of war.*

This description of the life of the prisoners in the camps at Kozielsk, Starobielsk and Ostashkov is based on reports, diaries and notes of prisoners who subsequently left the U. S. S. R.

In the nature of things the prisoners in the camps were isolated from the outside world. They did not know what was happening outside the barbed wire of the camp, and much that went on inside the camp was concealed from them. They had no knowledge of the details of the administration and organisation of the camp, the names and functions of Soviet officials, the aims and purposes of the orders issued etc. It is therefore impossible to point a clear and accurate picture of the life of the prisoners and this fact should always be borne in mind.

But there is one striking feature, namely, that in the three camps, situated several hundred miles apart, the conditions of life were very similar differing only in the small details.

In all three camps:

in November 1939, officers of the Polish Armed Forces, officers and ranks of the police, frontier and prison guards were grouped as particularly suspicious elements, both socially and politically from the Soviet point of view;

at the same time there was a general change in the attitude taken towards the officers and a marked favouring of the higher ranks, while labour regulations applicable to camp inmates in practice were not strictly enforced;

many and similar questionnaires had to be answered by the prisoners;

interrogations of prisoners were conducted along similar lines. They were political and social rather than military in character, and were of the type employed in investigations of criminal cases—a dossier was made up for each prisoner, containing the notes on his "case", photographs and fingerprints;

just before Christmas 1939, chaplains of all denominations were removed;

in December 1939, prisoners were given permission to write letters and encouraged to disclose their contacts with foreign countries;

almost simultaneously the "evacuation" of all three camps was begun, the prisoners being given the same explanation—namely that they were being sent home;

the method of "evacuation", size of parties removed and dates of departure were the same;

groups leaving on about 25.4.40 and 12.5.40 went to Pavlishtchev Bor and later to Giazovietz, all groups being treated in a similar manner during the journey;

final liquidation of the camps took place at approximately the same time.

All this goes to suggest that the Soviet commandants were subordinated to a central authority, which regulated by detailed instructions the life of the camps. At the time of the liquidation of the three camps, Soviet officials openly attributed their inability to change the composition of particular groups to the fact that their orders were issued by the central authorities in Moscow (see pp. 47, 94).

The question naturally raises: what was this authority which decided every detail of the life of the camps, and decided on their liquidation and on the fate of all the convoys, both those which finally arrived at Giazovietz and those which disappeared?

All three camps were supervised by officers of the N. K. V. D. which organised and administered them. (Starobielsk II even bore the official title: N. K. V. D. Prisoner of War Camp). On the other hand it is known that the department of the N. K. V. D. which controls all camps in the U. S. S. R. is the so-called GULAG—(Glavnoye Upravleniye Lagerey—Camps Chief Command). But it appears that the three camps concerned were not controlled by the department, judging by the assurances given by General Nasiodkin, chief of the "GULAG", to a plenipotentiary sent by General Anders to investigate the case of the missing officers (see below Chapter XIII). If this declaration of General Nasiedkin is accepted, then it must be assumed that the three camps concerned were controlled by some other branch of the central N. K. V. D. authorities, one which may well have been specially created for this purpose. Whether the fate of the camps and their inmates was decided by some such unknown branch of N. K. V. D. or by some other, higher authority, it has not been possible to ascertain.

## PART TWO. AFTER THE POLISH-SOVIET TREATY OF 1941. POLISH OFFICERS MISSING IN THE U. S. S. R.

### CHAPTER VIII. THE POLISH-SOVIET AGREEMENT OF 30.7.41 AND THE QUESTION OF PRISONERS OF WAR

When on 22.6.41 the Germans launched an attack on the U. S. S. R., the Polish Prime Minister and Commander-in-Chief, General Sikorski, in a broadcast on 23.7.41, expressed the hope that in view of the rupture of Soviet-German relations and the cancellation of the Ribbentrop-Molotov pact, the U. S. S. R. would go back to the position established by the Treaty of Riga,<sup>1</sup> this would lead to the return of normal Polish-Soviet relations and consequently to the liberation of a quarter of a million Polish prisoners of war, then rotting through inactivity in Soviet camps, who could be used to fight in the allied cause.

After this speech, which was understood by world public opinion to be gesture of reconciliation by Poland towards her recent aggressor, further demarches were made through the medium of the British Government with the object of restoring normal Polish-Soviet relations. In the course of Anglo-Soviet discussions, Ambassador Maisky, accepting in principle the idea of the formation of national armed forces in the U. S. S. R.—Polish, Czechoslovak and Yugoslav—which would cooperate with the Soviet armies in the fight against the German invaders, proposed in this connection that respective "National Committees" should be formed in Moscow. On 4.7.41 he queried the figures relating to Polish prisoners of war in Russia given by General Sikorski in his broadcast and declared that there were no more than 20,000, at the most.

After a firm rejection by the Polish Government in London of this proposal to form a "Polish National Committee" in Moscow, a conversation between Sikorski and Maisky took place on 5.7.41. During this conversation Maisky raised the question of the Polish prisoners of war in the U. S. S. R. and asked what were the Polish Government's plans in regard to them. General Sikorski answered that approximately 9,000 officers and 191,000 other ranks in the U. S. S. R.—these figures having been given by official Soviet statistics published shortly before—would be formed into an independent Polish Army in the U. S. S. R., but that these men would be used to fight the Germans on other fronts if the Soviet Government preferred. On this occasion Maisky did not question the figures quoted by General Sikorski, but started a discussion on the

<sup>1</sup> Peace Treaty concluded after Polish-Russian campaign of 1920.

legal status of the future Polish Army in the U. S. S. R. and its relations with the Soviet Supreme Command.

In the course of further discussion, Maisky agreed in principle to the release of the prisoners, on condition that the Polish Government expressed its willingness to form them into an Army in the U. S. S. R. to fight beside the Soviets against the Germans. General Sikorski stipulated that the term "prisoners" should include all Poles deported from Poland and kept in captivity in the U. S. S. R., including those imprisoned for political reasons. After a long discussion, during which Maisky emphasized the complications which this would introduce, he ultimately agreed to refer the matter to his Government for final decision.

In a note addressed by the Polish Foreign Minister to Mr. Eden on 8.7.41 the immediate release of Polish prisoners of war held in captivity in camps in the U. S. S. R. was laid down as one of the fundamental conditions of a Polish-Soviet agreement. And article 4 of the Polish draft of the Polish-Soviet agreement, dated 12.7.41 stated that "the Government of the U. S. S. R. pledges itself to release immediately and treat as citizens of a friendly State all persons who were Polish citizens on 16.9.39 and are at present on Soviet territory, namely . . . those interned in concentration camps as prisoners of war".

On 17.7.41 the Soviet Government proposed that "all practical questions concerning the release of Polish citizens now held captive on the territory of the U. S. S. R. shall be solved in a constructive spirit after the resumption of diplomatic relations between Poland and the U. S. S. R." but finally agreed to the addition of the following Additional Protocol to the Polish-Soviet agreement signed on 30.7.41:

"1. As soon as diplomatic relations are re-established the Government of the Union of Soviet Socialist Republics will grant and amnesty to all Polish citizens who are at present deprived of their freedom on the territory of the U. S. S. R., either as prisoners of war or on other adequate grounds.

"2. This Protocol becomes effective simultaneously with the agreement of 30th July, 1941."

General Sikorski, broadcasting to Poland on the occasion of the signing of the Polish-Soviet agreement, pointed out the practical value of the treaty saying: "it enables us to form Polish military units from prisoners of war now languishing somewhere in Russia and longing to fight for Poland. . . . it restores freedom to all Polish citizens, whatever the pretext for their detention on the territory of the U. S. S. R. may be. . . ."

But a considerable part of Polish public opinion was very critical of the *text* of the agreement. In particular, the wording of the Additional Protocol gave rise to very great objections and many Polish politicians and publicists questioned the use of the term "amnesty" with regard to prisoners of war. Doubts were also expressed as to whether, in view of the wording of the Additional Protocol ("dostatochnye osnovaniya—adequate grounds"), all Polish citizens held in the U. S. S. R., on whatever pretext, would in fact regain their liberty. Dissatisfaction with the text of the July agreement was in fact so wide-spread that some ministers resigned from the Government.

After the arrival of Mr. Retinger in Moscow on 11.8.41 as Polish Chargé d'Affaires, the whole Soviet press announced on 12.8.41 that the President of the Supreme Council of the U. S. S. R. had issued a "ukaz" (decree) granting an amnesty to Polish citizens in captivity on the territory of the U. S. S. R. But the text of the decree was not published in the official "Sobranie zakonny" (Statute Book). When the Polish Embassy in the U. S. S. R., approached the N. K. I. D. (Foreign Office) with a request for the authentic text of the decree of 12.8.41., they were presented with a document which read as follows: "To grant an amnesty to all Polish citizens who are at present deprived of their freedom on the territory of the U. S. S. R., either as prisoners of war or on other adequate grounds."

"President of the Supreme Council of the U. S. S. R.

(signed) M. KALININ.

"Secretary of the Supreme Council of the U. S. S. R.

(signed) A. GORKIN.

"Moscow, Kremlin, 12th August, 1941."

It will be seen that this document repeats word for word the last part of article 1 of the Additional Protocol to the Agreement of 30.7.41., without giving either definitions of the terms used, or any details of the execution of the general principle proclaimed in the Additional Protocol and in the Decree. Practical instructions were undoubtedly given to the Soviet authorities in secret orders, but they

were not made available to the Polish authorities, who were thus deprived of any control over the actual interpretation and execution of the general principle expressed in the Decree.

#### CHAPTER IX. RELEASE OF POLISH SOLDIERS IN THE U. S. S. R.

The first steps in the formation of a Polish Army in U. S. S. R. which made it practically possible for the Polish servicemen to be released from P. O. W.'s camps followed immediately on the conclusion of the Military Agreement made in Moscow on 14.8.1941 by General Bohusz-Szyszko who had travelled from London for that purpose.

General Anders who, after being several times wounded, fell into the Russian hands in October 1939 and had been held in Soviet prisons in strict isolation since that time, was appointed C. in C. of the Polish Armed Forces in U. S. S. R. by General Sikorski with the approval of the Soviet authorities, at the first meeting of the joint Polish-Soviet committee for the organisation of the Polish army on the territory of the U. S. S. R., on 16.8.1941, he demanded to know how many Polish servicemen in Soviet captivity would be counted on for the formation of the Polish Army. The Soviet representative, General Panfilov replied that, according to figures in his possession, servicemen of the former Polish Forces were concentrated mainly in three centres:

1. in the camp at Gрязovietz—about 1,000 officers.
2. in the camps at Juza and Suzdal—about 10,000 other ranks.
3. in the camp at Starobielsk—about 10,000 other ranks.

General Panfilov added that there were a certain number of Polish citizens in Siberia and in the Urals, and that the exact figures would be announced later.

Although the figures quoted by General Panfilov which corresponded exactly to those given by M. Maisky on 4.7.41. (see p. 138) were at complete variance with those in possession of the Polish authorities and given by General Sikorski in his conversation with Maisky, the Polish members of the joint commission did not draw attention to this but merely noted it.

A few days later, representatives of the Polish Headquarters in the U. S. S. R. visited the camps specified by the Soviet authorities with the object of recruiting the Polish officers and men held there.

At the Gрязovietz officers' camp their reception was particularly ceremonious. On 25.8.41. General Anders and General Szyszko-Bohusz arrived by air, accompanied by a Soviet Liaison Officer, N. K. V. D. General Zhukov. After the generals had been enthusiastically welcomed and speeches had been made, the recruiting committee began its work on the basis of a nominal list of prisoners provided by the camp authorities, according to which there were at Gрязovietz about 350 prisoners from the camps at Starobielsk, Kozielsk and Ostashkov and 1,250 internees from Lithuania and Latvia.

On 24-25.8.41 Colonel N. Sulik took over the Polish prisoners in the Suzdal camp, from where the Polish recruiting commission drew, 1,962 soldiers for the Polish Armed Forces, including 19 officers who had hitherto concealed their rank from the Soviet authorities.

On 26.8.41. Colonel Sulik began to take over the prisoners of the camp at Talitza, where there were about 10,000 of them, among whom a few dozen officers were also found.

Both these camps were formed by the Soviet authorities in July, 1941, for other ranks and police who had been transferred from Kozielsk III (see p. 53 above) to the Far North, some to the Komi Soviet Socialist Republic and some to the Kola peninsula, from where they were withdrawn after the outbreak of the Soviet-German war.

Lt. Col. Wisniowski went to Starobielsk, where he found in three different camps about 12,000 Polish prisoners, withdrawn from numerous labour camps in South-Eastern Poland after the outbreak of the Soviet-German war (Starobielsk IV., see pp. 98-99).

On 30.8.41 General Anders, in a broadcast from Moscow, told the world of the formation of the Polish Armed Forces in the U. S. S. R. On 7.9.41 he sent from Buzuluk, where the Headquarters of the Polish Armed Forces had been established, a report to General Sikorski in London informing him that the Polish prisoner of war camps at Gрязovietz, Suzdal, Juza and Starobielsk had been liquidated by the Soviet authorities and that Polish soldiers from these camps, numbering 1,800 officers, 27,000 other ranks, were already on their way to Polish military camps in the Volga region. The numbers given in this report were too optimistic as in fact barely 1,400 officers left those camps and these mostly had been former internees in the Baltic States in 1939.

General Anders and his staff hoped to receive a much larger number of officers from prisoners of war camps, and opened discussions on this subject with General Panfilov. He was assured that the rest of the Polish officers had long ago been released from the P. O. W. camps and had returned home, or in some instances had voluntarily joined the Red Army.

Later on General Anders and the officers who had arrived from London gradually learnt from prisoners liberated from Griazovietz, details of the liquidation of the officers' camps at Kozielsk, Starobielsk and Ostashkov in April and May, 1940. The Griazovietz prisoners told of the convoys which left the three camps, of the first report that those convoys were to be sent to Poland and of the later conjectures that the deported Polish prisoners had not been released, but probably kept in camps similar to Griazovietz. As the Soviet authorities had on several occasions used the Starobielsk and Kozielsk camps for accommodating various categories of Polish prisoners of war and other prisoners, it was at first difficult to grasp the details of the history of the prisoner of war camps for officers /Kozielsk II and Starobielsk II/, especially in view of the fact that after the agreement of 1941, the Soviet authorities handed over about 12,000 Polish soldiers from the liquidated camp at Starobielsk (Starobielsk IV).

Officers at Polish Army Headquarters in the U. S. S. R. soon realised that many officers who were personally known to them and who, they knew for certain, had been taken prisoner by the Soviets in September 1939, were still missing. Among these were nearly all those of General Anders' 1939 group, including his chief of staff, Major Soltan; nor was there any sign of Major Fuhran, for many years General Sikorski's adjutant; many other Generals and Colonels were also missing. From the very beginning Polish officers drew the attention of the Soviet liaison officers to these facts. The latter intimated that they were not in a position to supply any positive information about individuals and reverted to the old theory, semiofficially put forward in the large camps at Pavlishtchev Bor and Griazovietz, that a considerable number of Polish prisoners had been released and sent back to Poland in 1940.<sup>1</sup>

The Polish authorities let this explanation pass, but they knew from letters received by the Griazovietz prisoners from their relatives in Poland that the missing officers had not returned home. The Polish authorities therefore instructed the Polish Underground Movement to find out whether these officers, after being handed over to the Germans, had not been held in German prisoners of war camps.

Simultaneously a special section was formed at the Polish Headquarters in the U. S. S. R. with the task of drawing up lists of the names of the missing officers and collecting all available information about them. With this object all prisoners from Kozielsk II, Starobielsk II and Ostashkov II, who had passed through Griazovietz or prisons before being released, were requested to supply all possible personal details of their fellow-prisoners who had been with them in these camps and had subsequently disappeared. In this way a list of names of missing officers from Starobielsk, Kozielsk and Ostashkov was gradually drawn up. Simultaneously the volunteers who joined the Polish Army after being liberated as a result of the "amnesty" from prisons and labour camps in the most distant parts of Russia were being asked if they had any information to give about the missing prisoners from Kozielsk, Starobielsk and Ostashkov. This resulted in a misunderstanding owing to the fact that the Soviet authorities had used these camps on several occasions for other categories of Polish prisoners and prisoners of war, including a large number of officers. Many former prisoners, particularly those returning from distant northern camps (e. g. at Kolyma and in Yakuta) stated in good faith that a large number of Poles, including many from Kozielsk and Starobielsk, still remained in the extreme North, and even on islands in the Arctic Ocean. Some gave the names of officers who had, for instance, been at Starobielsk and were now in the most distant and hardest labour camps. After checking this information it was generally found that the officers named in these reports had actually spent a certain time in one of the big camps (mostly in Starobielsk III), but not at the period when these were being used as officers' camps.

In spite of the disappointments resulting from a more thorough analysis of the reports concerned, the "optimists" still continued to have hope and at that time (October–November 1941) maintained that the destinations to which the missing convoys had been transported in 1940 were so distant that for technical reasons it was impossible for the people to return at that time of year. Supporters of this

<sup>1</sup> "The Soviet authorities have declared to me on more than one occasion that considerable number of the above (missing) officers were released and sent back to Poland in the autumn of 1940" wrote General Anders in a letter dated 1.9.41 to the Polish Ambassador in the U. S. S. R.



theory generally assumed that the missing officers would return in the summer of 1942, when climatic and technical conditions would make it possible to travel.

The divergence between this theory and the statement of representatives of the Soviet authorities was put down to Soviet unwillingness to admit to their new allies that they had deported prisoners of war under exceptionally hard conditions to the extreme North.

This theory was further supported by the fact that it had recently become known that, in spite of the Soviet authorities' categorical statements to the effect that all Poles had been released, a very large number of Polish citizens were still detained in prisons and labour camps. Noting the inaccuracy of Soviet declarations regarding ordinary prisoners, Polish circles became increasingly convinced that the declarations concerning the missing prisoners of war from the three large camps also deviated from the truth. In consequence, the Polish authorities, while persistently trying to persuade the Soviet authorities to disclose the whereabouts of the missing prisoners of war, confidently expected them to reappear in the summer of 1942, when climatic conditions would permit them to cross the northern seas.

#### CHAPTER X. THE AMNESTY FOR POLISH PRISONERS AND DEPORTEES IN THE U. S. S. R. AND ITS EXECUTION

On the basis of information received from Poland, the Polish Government in London estimated the total number of Polish citizens deported by the Soviet authorities in the years 1939-1941 at 1½-2 millions. Owing to the "iron curtain" isolating the Soviet state from the rest of the world the Polish Government possessed no detailed information as to the whereabouts of the deportees in particular provinces of the U. S. S. R. nor as to their living conditions and legal status. After the conclusion of the agreement of 30.7.41 it was assumed that as a result of the Additional Protocol, these masses of human beings would automatically regain their freedom and civic rights and would be in great need of help from Polish diplomatic representatives appointed to the U. S. S. R.

The Polish diplomatic representatives fully realised the technical difficulties of immediately releasing hundreds of thousands of people dispersed throughout the immense territory of the U. S. S. R. and of changing their legal status.

The first diplomatic note sent by the Polish Charge d'Affaires in Moscow, M. J. H. Rettinger, on 22.8.41, requested the "immediate release from prisons and forced labour camps of all Polish citizens and their despatch to provisional assembly points, where they could be sorted out according to sex, age and physical and professional qualifications and directed to military camps or to industrial or agricultural work". At the same time the note pointed out that the burdening of local administrations with countless additional military tasks might in many cases obstruct the "efficient and speedy" fulfilment of the obligations contracted by the U. S. S. R. In this connection the note put forward various "proposals" concerning "provisional instructions for the purpose of expediting the realisation of the clauses of the amnesty" by means of active "cooperation between administrative sections of the Embassy and the Polish citizens in question". Finally the note expressed the conviction that "in the present harmonious relations between the Polish and the Soviet Governments it will be easy to work out the details and bring about the speedy release of Polish citizens, if only general instructions are issued". Replying to this note, the N. K. I. D. (Peoples' Commissariat for Foreign Affairs) in a "Pro Memoria" of 28.8.41, informed the Embassy that, in the accordance with the Decree of the Presidium of the Supreme Council of the U. S. S. R. dated 12.8.41, the release of all Polish citizens from prisons had already begun. The memorandum also described the procedure governing the release of prisoners. While raising no objection to the "appointment of trustees of the Polish Embassy in regions inhabited by large numbers of Polish citizens" or to the "formation of one or several joint commissions, composed of Soviet delegates and representatives of the Polish Embassy, for the purpose of drawing up a register of Polish citizens, resettling them and providing them with a means of livelihood", the memorandum deferred all the other propositions contained in the Polish note for consideration "during subsequent work".

The procedure mentioned in the memorandum was as follows: released prisoners were to receive special amnesty certificates (udostoviereniya) in which they were clearly described as Polish citizens. Those certificates would be valid for three months, after which they were to be exchanged for a passport. In addition, the liberated prisoners were to receive free railway tickets to a place theoretically chosen by the prisoner but in practice dictated by the authorities—as

well as a travelling allowance of 15 roubles a day. The memorandum mentioned no general principles governing release; on the contrary, the phrase "the release has begun" indicated rather that Polish citizens were not automatically set free. Later it became clear that prisoners were freed under a number of special orders issued by the Soviet central authorities. It should be pointed out that in the first period (August–October) the Soviet authorities never questioned the Polish citizenship of non-Polish persons at the time of release of prisoners. On the contrary it even seemed that they gave special privileges to some of the so-called national minorities and, in fact released Jews, while detaining Poles.

On 9.9.41, five days after the arrival of M. Kot as Polish Ambassador in Moscow, the first meeting of the Joint Polish-Soviet Commission took place and was devoted to "the question of further arrangements concerning liberated Polish citizens". At the beginning of the meeting, at the request of the Polish delegates, the Soviet representatives supplied information as to the total number of Polish citizens detained in the U. S. S. R. and the progress so far made in releasing them. With the reservation that the exact numbers could only be submitted after checking, the following approximate figures were given: the number of Polish citizens imprisoned in prisons and camps "can be more or less calculated at 42,000, of which 35,891 were freed up to 8.9.41. The total number of deported and resettled Polish citizens may be estimated at 300–350 thousand persons, of whom up to 8.9.41, 107,933 have been supplied with documents entitling them to move freely on Soviet territory".<sup>1</sup>

In the course of discussion the Soviet representatives admitted that not all Polish citizens had been freed but stated that those detained were "only a few Poles, who are accused of espionage for Germany". The Polish request for the production of material collected during investigations of these cases raised fundamental objections from the Soviets; the difference in the points of views taken by both sides became obvious when the Poles asked whether the figures given by the Soviets included all the Polish citizens living in the territory of the U. S. S. R. The Soviet delegates immediately raised the question of the citizenship of "former Polish citizens who inhabited the Western Ukraine and Western White Russia and who after the incorporation of these territories into the Soviet Union received Soviet citizenship". Discussion of this question was postponed since it obviously did not fall within the competence of the Commission.

On 10.9.41 Ambassador Kot had his first conference with the Deputy Commissar for Foreign Affairs, Vyshinsky, in the course of which the Ambassador stated that many Polish citizens deported to the U. S. S. R., and in whom he was particularly interested, had so far not reappeared, and asked to whom he should refer this matter. Vyshinsky replied, "We will deal with that, if you will supply a list of persons with whom you are concerned; we shall settle that question as favourably and as quickly as possible". The Embassy consequently handed the N. K. I. D. (U. S. S. R. Foreign Office) a "list of persons to be released in the first instance" comprising a few hundred names among them those of some prisoners of war, mostly university professors, who had been at Kozielsk or Starobielsk. In the course of some months the N. K. I. D. (Foreign Office) informed the Embassy of the release of 54 persons whose names had figured on the list, but there was no-one from Kozielsk or Starobielsk among them.

On 17.9.41 the second and last meeting of the Joint Commission took place, during which the Soviets gave the number of Polish citizens released from prisons and camps up to 14.9.41 as 46,195 that is 7,000 more than the total number of Polish citizens who were imprisoned in the U. S. S. R. according to the figures they had given at the first meeting.

Having established the fact that many prominent Polish citizens known to have been in Soviet prisons and camps were not among the liberated prisoners, Ambassador Kot again raised this matter on 20.9.41 in a conversation with Vyshinsky, who promised to investigate the whole question of releases and to produce detailed information in the immediate future, concerning Polish scholars, artists, publicists, doctors, lawyers etc. then in the U. S. S. R. A week later as a result of the flood of complaints reaching the Embassy about Polish citizens still kept in detention, on 27.9.41 the Ambassador handed to the N. K. I. D. Foreign Office the first note which pointed out that:—

- a. many Polish citizens were detained, individually and in groups, in forced labour camps and prisons;
- b. they were prevented from establishing contact with the Polish Embassy;

<sup>1</sup> Extract from the Soviet protocol of the meeting.

- | Source                                   | Date    | Categories detained and freed after amnesty |           |                              |           |   |           |
|--|---------|---|-----------|------------------------------|-----------|---|-----------|
| of information                           |         | in prisons and camps                        |           | deportees                    |           | P. O. W.'s and internees                                  |           |
|  |         | Total No.                                   | Re-leased | Total No.                    | Re-leased | Total No.   | Re-leased |
| Krasnaia Zvezda ("Red Star")             | 17.9.40 | -----                                       | -----     | -----                        | -----     | 5,268 officers,<br>4,096 N. C. O.'s, 181,223 other ranks. | -----     |
| U. S. S. R. Ambassador in London Maisky. | 4.7.41  | -----                                       | -----     | -----                        | -----     | Approx. 20,000  | -----     |
| General Panfilov                         | 16.8.41 | -----                                       | -----     | -----                        | -----     | 1,000 officers, 20,000 other ranks.                       | -----     |
| N. K. T. D. (Foreign Office) Novikov.    | 9.9.41  | 42,000                                      | 35,891    | { 300,000<br>to<br>350,000 } | 107,933   | -----   | -----     |
| N. K. I. D. (Foreign Office) Novikov.    | 17.9.41 | -----                                       | 46,195    |                              | 159,512   | -----   | -----     |
| N. K. I. D. Vice Commissar Vyshinsky.    | 14.9.41 | 71,481                                      | -----     | 291,137                      | -----     | 25,314  | -----     |
- of these three categories a total of 345,511 have been released.

CHAPTER XI. POLISH DIPLOMATIC INTERVENTIONS CONCERNING THE FULFILMENT OF THE "ADDITIONAL PROTOCOL" AND IN THE QUESTION OF THE MISSING POLISH OFFICERS.

The Kot-Vyshinsky conversation of 10.9.41 and the Polish Ambassador's note of 27.9.41 (see p. 153-4 above) opened a long series of discussions and diplomatic notes concerning the fulfilment of the clauses of the Additional Protocol to the Agreement of 30.7.41. The Polish authorities never failed to insist on the strict application of the clauses of the Protocol and the release of all Polish citizens without exception. The Soviet replies varied. They either said that all Polish citizens were being liberated or, after 8.11.41, that they all had been liberated, or, that a certain number of persons reclaimed by the Poles were detained as criminals or German spies, or that the amnesty did not apply to those still in captivity as they were not Polish citizens.

In this connection discussions took place on:—

a. the citizenship of persons of various domiciles and nationalities who were in the Eastern territories of Poland on 1-2.11.39., i. e., when those territories were "incorporated" into the Soviet Union by the decisions of the Supreme Council of the U. S. S. R.;

b. the right of the Polish authorities to have access to the evidence on the basis of which individuals were detained as common criminals or German spies.

The fact that the Soviet replies admitted the detention of some Polish citizens confirmed the opinion current in Polish circles that a considerably larger number of Polish citizens than that admitted by the Soviet authorities had not regained their freedom, despite the clauses of the Additional Protocol.

Still not questioning the good will of the Soviet central authorities, Polish representatives presumed that the reason for the continued detention of numerous Polish citizens was either the unscrupulousness of local prison and camp authorities or the insurmountable technical difficulties of transporting them from the extreme North of Russia.

It will be remembered that both the Polish Army Headquarters in the U. S. S. R. and the Polish Embassy had for a long time been aware that a considerable number of Poles, including prisoners of war from Kozielsk, Starobielsk and Ostashkov had been deported to the Far North in the summer of 1940. Recognising the technical difficulties making their return before the summer of 1942 impossible, the Polish representatives tried to obtain official confirmation from the Soviets of the detention of Polish prisoners in camps in the Far North. But they received only negative and often vague replies.

The various stages of the diplomatic negotiations on this subject are given below.

1. 6.10.41—*Kot-Vyshinski conversation.*

During this conversation the Polish Ambassador for the first time raised officially the question of the missing officers. Unfortunately however, the facts he presented were not correct and by going into too great detail he missed an important opportunity to obtain from the Soviet Authorities a direct answer to the dramatic question—What has happened to 7,500 people? This will be seen from the notes of the conversation which follows:—

Ambassador: . . . "besides this category of persons to be individually released and the search for well-known scholars and politicians in whom, as individuals, public opinion takes a great interest, there are other questions in this sphere which are very distressing for us. These concern whole groups of people and I venture to give you some facts about them which may not be known to you."

Vyshinsky: "The lack of information about the prisoners sometimes results from the fact that when the Germans occupied part of the territory of the U. S. S. R. the prisons and the archives were evacuated separately."

(Novikov intervenes and gives examples of cases where this has occurred.)

Ambassador: "Apart from the fact that I can't carry out my orders from London to send there some well-known people to complete the membership of the National Council, I would like to quote to you the following figures. In all there were 9,500 officers arrested in Poland and deported to the U. S. S. R. and we have now in the army in U. S. S. R. only 2,000 officers. What has happened to the other 7,500 people?"

Vyshinsky and Novikov try to maintain that that is not possible, but cannot find any arguments to support their case.

Ambassador: "We have made every effort to find these people. We thought they were handed over to the Germans, we looked for them in German P. O. W. camps, in occupied Poland, everywhere where they could possibly be. I could

understand it if it were a matter of a few dozen or even a few hundred people missing but not thousands.

Vishinsky and Novikov disconcerted, themselves put the question "What has happened to them?"

Ambassador: "In the Autumn of 1940 a shipload of about 1500 of our officers was sent from Archangel to the North."

Vishinsky: "That is surely an inaccurate report. Where does it come from?"

Ambassador: "From Archangel. In the Moscow province there was a P. O. W. camp at Ostashkov where there was exclusively men from the Military and civil police. This camp doesn't exist any longer, however, among many thousands of people who have joined our ranks there is not one from this camp. And the camps where our officers are still kept are on the Sosva, at Kolyma not far from Omsk."

Vishinsky: "Surely they are among the more than 300,000 Polish citizens who have now been released."

Ambassador: "From these camps there is no one in the Army and what about the doctors and university professors?"

The Ambassadors assertions about the shipload from Archangel and the Officers camp on the Sosva etc., were based on reports of prisoners who had been liberated from Soviet labour camps and joined the Polish Armed Forces. But these reports were themselves based on a misunderstanding, as was pointed out above (p. 148) for they concerned the officers from Starobielsk III. Formulated categorically by the Ambassador, these assertions laid the "burden of proof" on the Polish side and enabled the Soviets to evade the question "what had happened to 7,500 people" and to limit themselves to a denial of particular Polish statements.

## 2. 13.10.41. Polish Embassy's Note to N. K. I. d.

In the note of 13.10.41 the Embassy did not refer expressly to the disappearance of officer P. O. W's but treated the matter in general terms.

This note stating that "the Embassy possesses information that in various prisons and camps there still remain thousands of Polish citizens who either know nothing of the Agreement concluded on July 30th, 1941, or have been informed that the clauses of that Agreement and the Decree of the Supreme Council of the U. S. S. R. of September 12th do not apply to them" The note went on to hope that the real situation of Polish citizens in U. S. S. R. would correspond to that proclaimed by the official communiqués of PAT (official Polish Telegraph Agency) in London and New York which were giving an assurance, in accordance with the policy of Soviet-Polish friendship and co-operation, that all Polish citizens in U. S. S. R. were now released. Emphasising in this way the genuine good will of the Polish Government in the sphere of propaganda, the note did nevertheless draw the attention of the Soviet Government to these communiqués of PAT which in no way corresponded to the facts as set out in it or to the real situation.

## 3. 14.10.41. Kot-Vyshinsky conversation

In the course of this conversation the Polish Ambassador, referring to General Sikorski's proposed visit to Moscow, stressed the need for bringing the actual situation of Polish citizens in the U. S. S. R. into line with the Polish Telegraph Agency's communiqués. He ended with the words: "At the moment of General Sikorski's arrival, not one Polish citizen ought to be in detention."

Vyshinsky then raised the whole question of the release of Polish citizens and supplied the figures (quoted at the end of the preceding chapter) and a sharp exchange of views took place as to the numbers deported from Poland (see p. 155). The Ambassador referring again to the missing officer prisoners of war, stated that "according to Soviet data there were 9,600 officers in prisoner of war camps". The Ambassador was doubtless thinking of the article in "Krasnaya Zvezda" ("Red Star") which have the number of prisoners of war as: 5,268 officers and 4,096 N. C. O's—more than 9,000 in all (see p. 14). Towards the end of the discussion the tone became more friendly.

Ambassador: "I hope that when General Sikorski arrives he will find all his officers."

Vyshinsky: "We shall give up to you all the people we have, but we cannot give up those who are not with us. The English, for instance, give us the names of their people who are supposed to be in the U. S. S. R., but who have in fact never been here."

## 4. 15.10.41. Personal note from General Sikorski to Ambassador Bogomolov.

The Polish Embassy's difficulties in the U. S. S. R. connected with the fulfilment by the Soviet authorities of the Additional Protocol had their repercussions in

London. The Polish Government in London was kept informed by the Embassy and by the Polish Military Authorities in the U. S. S. R. of the progress made in releasing Polish citizens from Soviet camps and prisons. The information at first supplied by Soviet liaison officers, to the effect that prisoners of war from Kozielsk, Starobielsk and Ostashkov had been freed and sent home in 1940, was sent via London to Poland to be verified. The Polish Underground Movement reported that the missing officers were neither in their homes under German occupation nor in German prisoner of war camps and that their families had lost all contact with them since April and May, 1940. Disturbing reports and rumours also came from the U. S. S. R. to the effect that a considerable number of Polish citizens had not been released from captivity but had been transferred to the extreme North of Russia. In consequence, General Sikorski, before his projected visit to Moscow, wrote a personal note to the Soviet Ambassador accredited to the Polish Government, requesting him to inform his Government that the Polish Government "appreciates the good will shown by the Soviet Government in putting into effect the Polish-Soviet Agreement of July 30th", and simultaneously drawing attention to "certain obstacles which had arisen and could not be attributed to difficulties resulting from military operations."

Emphasising the necessity for the immediate release of Polish citizens in view of the approaching winter and the need for providing them with a means of livelihood, the note contained a few additional sentences on the subject of the missing officers, expressing the supposition that they were detained in the Far North. "Le sort de quelques milliers des officiers polonais, qui ne sont pas nentres en Pologne et qui n'ont pas été retrouvé dans les camps militaires soviétiques continue à être incertaine. Ils sont probablement dispersés dans les régions du nord de l'U. S. S. R. Leur présence dans les camps de l'Armée Polonaise est indispensable".

#### 5. 22.10.41.—Kot-Molotov Conversation

The subject of this conversation was the visit of General Sikorski to the U. S. S. R. The Polish Ambassador again pointed out the necessity for completely putting the "amnesty" clauses into full effect: "First the question of the amnesty. The instructions of the central authorities clearly did not reach several regions. They must be carried out 100%, so that General Sikorski can see that our agreement is a real one."

At Molotov's request for a complete account of the whole question, the Ambassador recalled his conversations with Vyshinsky. "I gave Mr. Vyshinsky several examples of places where the amnesty has not been carried out and of which categories of our citizens, such as officers, judges, public prosecutors and police have not been released. Mr. Vyshinsky promised to give the matter his attention, but he did not fulfill his promise. I am afraid that the approaching winter will make impossible their return from distant territories such as Kolyma."

Molotov replied that in principle all Polish citizens had been set free as a result of the amnesty but admitted that on account of "great difficulties of transport and administration . . . in several districts they undoubtedly still remained in places where up till this time they have been living."

These general remarks of Molotov, which in reality conveyed nothing, were understood by the Poles to be a more or less official confirmation by a member of the Soviet Government of the Polish thesis, that the missing officers were in the Far North and had for technical reasons no possibility of returning at that time. Thanking Molotov for his promise to extend "to the Polish Government all the assistance in our power towards solving this matter", the Ambassador asked for a list of the places in which Polish citizens who had been released were living. "We understand the difficulties of the Soviet Government", he added, commenting on his request, "but if we knew something about our citizens we could wait quietly for the possibility of transport."

Promising to do everything to enable the Ambassador to acquire this information, Molotov proposed that Kot should hand him a list of names of "the people with whom you are particularly concerned" and expressed the hope that after the issuing of "all instructions on this matter, there will be no difficulty provided they are in the U. S. S. R. under the same names as they bore in Poland."

The fact that the Ambassador had in mind all the time the question of the missing officers from Kozielsk, Starobielsk and Ostashkov—though he did not speak openly of them—is shown by the further course of the conversation. Referring to the difficulties of tracing individuals, he mentioned exclusively the names of the missing officers. The conversation ran thus:—

Ambassador: "It would be a very good thing if I could get into close contact with representatives of the N. K. V. D. concerning various matters which do not



really come into the sphere of foreign affairs and are an additional burden to you. Actually they are not difficult to solve, but they are involved. As an example let me cite the impossibility of finding General Sikorski's adjutant, to whom the latter is very attached."

Molotov: "Is he with us?"

Ambassador: "He was in a prisoner of war camp in the U. S. S. R. and was afterwards deported into the interior of Russia".

Molotov: "What is his name?"

Ambassador: "Major Jan Fuhrman".

Molotov: "Everything will be done to find him."

(Molotov ordered the interpreter to write down Fuhrman's exact name.)

Ambassador: "If by any chance he is unfortunately dead, we should like to be informed of this, for there is nothing worse than uncertainty."<sup>1</sup>

6. 1.11.41. *M. Kot's secret note to Molotov.*

With the object of finally persuading the Soviet Government to settle the question of releases and other matters connected with the organisation of the Polish Army in the U. S. S. R., this note aimed at making General Sikorski's announced visit to the U. S. S. R. dependent on the previous "fundamental agreement" of the Soviet Government to the Polish Government's demands.

"Appreciating the serious importance which personal contact with Premier Stalin, your Excellency and the Headquarters of the Soviet Army will have in tightening the bonds of friendship and co-operation between both Governments and in the conduct of the war against the common enemy, General Sikorski would wish for the conversations to take place in an atmosphere free from the many fundamental questions which up till now have remained unsolved and unsettled and the actual state of which would make the visit of the Prime Minister of the Polish Government and the C. in C. of the Polish Army particularly embarrassing where the Polish people in the U. S. S. R. are concerned as also are the problems the settlement of which is imposed by the force of events.

"As the aims and programme of his journey have been agreed with the Government of Great Britain and with the Governments of the other Allied States General Sikorski is of the opinion that, unless a suitable atmosphere for discussion is created, his visit at the present moment would not give results satisfactory either to the interests of the two Governments or to the common war effort of the Countries fighting against Germany. Before finally deciding the date of his arrival, General Sikorski will therefore wait for the Soviet Government's expression of fundamental agreement of the following questions of primary importance to the Polish Government and People.

"1. The acceleration of the complete fulfilment of the clauses of the Additional Protocol to the Polish-Soviet Agreement of July 30th, 1941 and of the Decree of the Supreme Council of the U. S. S. R. of August 12th, 1941, concerning an amnesty for "all Polish citizens who are at present deprived of their freedom on the territory of the U. S. S. R., either as prisoners of war or on other adequate grounds, and the guarantee of suitable work or means of livelihood to Polish citizens not incorporated into the Polish Army . . .".

7. 2.11.41. *Kot-Vyshinsky conversations.*

The day after the foregoing note had been sent, the Polish Ambassador had another conversation with Vyshinsky, which was particularly dramatic and stormy where the question of releases was concerned. In this conversation a relatively longer time was devoted to the question of the missing officers. When the Ambassador recalled the promise given him during previous conversations in Moscow to the effect that the Soviet authorities "would find a way to transport people from the North even during a hard winter, by using special methods of transport", Vyshinsky referred to the changed situation from the course of military operations. The Ambassador, taking this argument into consideration, asked that he should at any rate be supplied with details as to "where those people are and the granting of facilities to establish at least telegraphic communication with them". Vyshinsky answered without hesitation "of course, I will do that," but in the next, somewhat ambiguous sentence qualified this promise. "Your Excellency can count on us for every assistance in this matter. As soon as I have found out where these people are I will inform your Excellency accurately and conscientiously."

<sup>1</sup> Despite Molotov's solemn promises, the Polish authorities never received any official information concerning the fate of Major Fuhrman.

When the Ambassador quoted the addresses of camps in various parts of the Soviet Union where Polish citizens were still held in captivity, Vyshinsky continued to insist that all Poles had already been released. He then raised the question of the missing officers, hitherto not referred to in the conversations. Taking advantage of the Ambassador's mistake on 14.10.41 in referring to 9,600 Polish officers who, according to Soviet data, were said to be in the U. S. S. R. (see page 163 above), Vyshinsky took the offensive. The following is a fragment of the conversation:

Vyshinsky: "The alleged number of 9,500 Polish officers in the U. S. S. R. has not been confirmed anywhere. Such a number has never appeared in the N. K. V. D. records, and the People's Commissariat for Defence also denied its accuracy. I am trying, however, to obtain the data which Mr. Ambassador required".

Ambassador: "Mr. Commissar promised to look personally into the matter of lawyers, judges, public prosecutors and police. Many generals, prominent soldiers, even many of my personal friends are missing".

Vyshinsky: "Unfortunately the fact of being public prosecutors, judges or police does not appear in the N. K. V. D. records. We simply are not in possession of these particulars."

Ambassador: "Such a long time has elapsed since the signing of the agreement, and so many of our people have not regained the freedom to which they are legally entitled. We have not even received letters or telegrams from them. We do not even know their addresses. Despite the fact that during our conversation on October 14th you promised to supply me on the following day with the information I required."

Vyshinsky: "It is true that I said that, but on October 15th Moscow was evacuated, with the result that contact between the different departments was interrupted. That is the reason for the delay in obtaining the information . . . The N. K. V. D. central office states that there never were that number of Polish officers in the U. S. S. R."

Ambassador: "I do not insist on the number 9,500, but over 4,000 officers were deported from Starobielsk and Kozielsk. Up to now an impenetrable wall stands between us and those people, separating us from them. Please help us to get over that wall. The N. K. V. D. central office or the GULAG possess the necessary details. Please enable me to send delegates, accompanied by N. K. V. D. officials, to visit the camps where these people are and bring them help and encouragement, thereby assisting them to survive the winter."

Vyshinsky: "Mr. Ambassador puts the question as if we wanted to hide some Polish citizens. Where are they?"

Ambassador: "There is Kolyma, the Bering Straits. It was stated that whole convoys of our people were sent to those regions. They are even in Franz Josef Land. I myself spoke to a lad who had returned from Novaya Zemlya."

Vyshinsky: "From your approach of the problem it would appear that it is necessary for our authorities to be controlled by delegates from the Embassy. We have records of everyone, alive or dead. I have promised the details and I will produce them. . . ."

Ambassador: "If any of the people with whom I am concerned really had been released, they would have immediately given a sign of life. It is not a question of nameless people. There are among them hundreds of distinguished men, for instance Generals Stanislaw Haller, Skierski, Skuratowicz, Lukowski. They are not children and could not be hidden. If any of them have died, please inform us. I cannot believe that they are not."

Vyshinsky: "Please let me have the names and it will be easier to find them. The name of General Haller, for instance, you have mentioned for the first time. People are not trees, they must be somewhere, but sometimes they did not say that they were Generals, perhaps they are registered under other professions. I cannot myself search for them throughout the whole Soviet Union."

Ambassador: "The data I possess come from the reports and accounts of eye-witnesses. They have seen at this or that time so many of our officers being deported in an unknown direction. If I obtained the exact data from you, I would use them. People are not like steam, they cannot evaporate. . . ."

Vyshinsky: "If I had a list of the people with whom Mr. Ambassador is particularly concerned, it would help me in my task."

Ambassador: "I have given 4 such lists but until now I have not had an answer. The most important thing for me is to be able to bring help and protection to these people. I understand that you Mr. Commissar, cannot personally occupy yourself with such questions as you are concerned with foreign not home affairs."

But we have had promises of co-operation in this matter from you as well as from the Soviet Government."

Vyshinsky: "Some people on the lists given by Mr. Ambassador have now been found. We are looking for the others. When I shall have the rest of the names I shall be able to contact the competent authorities and say to them for example—'Please report to me on the question of General Haller.' If anything wrong is revealed I shall even be able to punish who it is necessary. But you are wrong Mr. Ambassador in thinking that these things do not concern me. In the Commissariat of Foreign Affairs we have three Vice Commissars. I am the first of them and I am concerned with Polish matters."

*8. 3.11.41. Cripps-Vyshinsky conversation. Cripps' Aide-Memoire.*

Unable, despite strenuous attempts, to bring about the complete fulfilment by the Soviet authorities of the obligations contracted in the July Agreement and the release of all captive Polish citizens, the Polish authorities requested the mediation of the British authorities, whose good services played such an important role in the conclusion of that agreement. On 3.11.41 the British Ambassador to the Soviet Union, Sir Stafford Cripps, handed the Soviet Government an aide-memoire and had a conversation with Vyshinsky. Both the British aide-memoire and the conversation dealt with the general execution of the "amnesty" and the release of all captive Poles, particularly those fit for military service. In accordance with the Polish thesis, the aide-memoire emphasised that thousands of Polish citizens had not so far been freed but were still in prisons, concentration camps and correctional labour camps, particularly in the extreme North of the Soviet Union. The aide-memoire did not expressly refer to the question of the vanished officers. Neither were they mentioned in the conversation during which the Ambassador stated that according to British information considerable numbers of Poles were still detained. Vyshinsky answered that he was not in possession of any such information and asked for concrete data—names and whereabouts. When the Ambassador pointed out that the details had already been submitted to him by the Polish Ambassador, Vyshinsky merely stated that only a negligible number of Polish citizens were still in detention, but that possibly in the case of people very far away news of their release had not yet arrived.

*9. 8.11.41. Molotov's note to the Polish Ambassador.*

The Polish Ambassador's note to Molotov of 1.11.41 attempting to make General Sikorski's visit dependent on the release of all Polish citizens did not achieve its aim. But it is highly probable that this note and British intervention on 3.11.41 hastened the Soviet Government's official declaration of the "complete" execution of the amnesty decree concerning Poles. The Soviet Government was unfortunately supported by the official communiqués of the Polish Telegraph Agency, mentioned in the Polish note of 13.10.41, which had reported the release of Polish citizens and the consequent development of friendly Polish-Soviet relations. Those communiqués were published so to speak "on credit", as a proof of Polish good will, and were intended to help the Soviet cause in the field of world propaganda. But instead of conciliating and winning over the Soviets, they achieved the opposite results.

The above-mentioned Soviet declaration as contained in Molotov's note of 8.11.41, in answer to the Polish note of 1.11.41. In his note Molotov, coolly left the question "of fixing the definite date of Mr. Sikorski's arrival in the U. S. S. R. . . . to the decision of Mr. Sikorski himself." Stating in the name of the Soviet Government that the latter "is ready to see Mr. Sikorski in the U. S. S. R. as its guest at any time to suit his wishes", the Soviet reply nevertheless pointed out that the Soviet Government "does not see the necessity for making the fixing of a definite date for Mr. Sikorski's arrival dependent on the announcement by the Government of the U. S. S. R. of their basic agreement concerning the questions" laid out in the Polish note. Stating further that the Soviet Government "considers it necessary to base the discussions of these and other questions in the sphere of Polish-Soviet relations on the agreement concluded between the Governments of the U. S. S. R. and Poland", Molotov simultaneously made the following declaration concerning the question of releases: "In accordance with the decree of the Presidium of the Supreme Council of the U. S. S. R. of August 13th, 1941, concerning the amnesty, all Polish citizens who were detained as prisoners of war or on other adequate grounds have been released. To the prescribed categories of released persons and prisoners of war the Soviet authorities extended material help (free tickets for travel by rail and waterways, allowances for food during the journey etc.)."

In fact this was a completely negative answer to the Polish request for the hastening on of the full execution of the clauses concerning the release of Polish citizens. In plain language it meant: not only shall we not accelerate the release of Polish citizens still remaining in captivity, but we shall not release them at all—all those whom we intend to release have already been set free.

The note of 8.11.41 created a certain pattern which was followed repeatedly by all Soviet authorities when replying to any intervention in the question of the release of Polish citizens detained in camps and prisons. These replies were quite contrary to the real state of affairs, as it was well-known that, despite Soviet assurances, Polish citizens still remained in camps and prisons and that some of them had been released long after 8.11.41. In vain the Polish authorities stress in further notes and diplomatic conversations the fact that neither the text of the Additional Protocol nor the text of the amnesty Decree had provided for any exceptions in the release of Polish citizens; the Soviets remained deaf to all arguments and consistently referred to the note of 8.11.41.

10. 14.11.41. *M. Bogomolov's Note to Count Raczynski.*

The main contents of Molotov's note of 8.11.41 were repeated a few days later in the note of the Soviet Ambassador to the Polish Government in London, handed by the ambassador himself to the Polish Foreign Minister on 14.11.41 in answer to General Sikorski's note of 15.10.41 (see p. 164 above). This note, mentioning nothing of prisoners of war, declared that "all Polish citizens who were entitled to be released on the basis of the Decree of the Presidium of the Supreme Council of the U. S. S. R., of August 12th, have been released, and the prescribed categories of those released have been afforded material help by the Soviet authorities." Further, the note merely stated that "all Polish officers on the territory of the U. S. S. R., have also been released. The supposition expressed by the Prime Minister that large numbers of Polish officers are dispersed in the Northern regions of the U. S. S. R. appears to be based on inaccurate information."

11. 12.11.41.—*Kot-Vyshinsky conversation.*

Before travelling to Moscow for conversations with Stalin and Molotov in connection with General Sikorski's visit, the Polish Ambassador had yet another conversation with Vyshinsky on 12.11.41, in the course of which Vyshinsky himself raised the question of the missing officer prisoners of war in the following way:—

Vyshinsky: "Returning to the question of the officers, concerning whom General Sikorski consulted Mr. Ambassador, has the N. K. I. D. (Foreign Office) a list of names in its possession?"

Ambassador: "Two lists of politicians and important people are in the possession of the N. K. I. D. One I handed to your Excellency personally, the other I had sent. As to the officers, General Anders handed a list to the N. K. V. D., but concerning only Starobielsk. The lists from Kozielsk, Ostashkov and other camps are still being drawn up by the military authorities."

Vyshinsky: "I ask you again about this matter, because I am convinced that those people have already been released. It is only a question of confirming their whereabouts. If any one of them is still not at liberty, he will, of course be freed. For me that problem does not exist."

Ambassador: "The question is very simple. The camp commands at Starobielsk, Kozielsk, Ostashkov and other camps possessed accurate lists of names of Polish servicemen detained there. It is only necessary to give instructions that those servicemen be released according to the lists."

Vyshinsky: "Certainly, if they were there."

12. 14.11.41.—*Kot-Stalin conversations.*

On 14.11.41 Ambassador Kot had a conversation with Premier Stalin, lasting for more than four hours. As this was the Polish Ambassador's first conversation with the highest Soviet authority, various subjects were raised. At the end of the discussion the Ambassador brought up the question of the lost officers from the three large camps.

The following are relevant extracts from the conversation, according to notes taken down directly after the discussion:—

Ambassador: "I have already taken up a great deal of your time, Mr. President, when you have such important matters to attend to. But there is still one more important question; may I raise it?"

Stalin: (politely): "Certainly, Mr. Ambassador."

Ambassador: "You are the author of the amnesty for Polish citizens in the U. S. S. R. You made that gesture, I would be extremely grateful to you if you would like to use your influence to have it put into full effect."

Stalin: "Are there still some Poles in captivity?"

Ambassador: "From the camp at Starobielsk, which was dissolved in the spring of 1940, we have not yet regained a single officer."

Stalin: "I will look into the matter. But after release many things may happen. What was the name of the commander of the defence of Lwów? Langer, if I am not mistaken."

Ambassador: "General Langner, Mr. President."

Stalin: "Exactly, General Langner. We released him last year. We had him brought to Moscow and talked with him. Then he escaped abroad, probably to Rumania."

(Molotov, who was present at the conversation confirms this.)

Stalin: "There are no exceptions to our amnesty, but with certain servicemen the same thing may have happened as with General Langner."

Ambassador: "We have the names and lists. For example, General Stanislaw Haller has still not be found; officers from Starobielsk, Kozielsk and Ostashkov, who were removed from those camps in April and May, 1940, are missing."

Stalin: "We have released everyone, even people who were sent to us by General Sikorski to blow up bridges and kill Soviet people; we have set free even those people. Actually it was not General Sikorski who sent them, but his Chief of Staff, Sosnkowski."<sup>1</sup>

Ambassador: "So my request to you, Mr. President, is that you will give instructions, for the officers, whom we need for the organisation of the army, to be released. We possess records of when they were removed from the camps."

Stalin: "Are there any accurate lists?"

Ambassador: "All names are recorded by the Russian camp commanders who held a roll-call of all prisoners every day. In addition the N. K. V. D. carried out an investigation of every person. Not one officer of the Staff of General Anders' Army, which he commanded in Poland, has been handed over."

(Stalin, who stood up a few minutes before and was slowly pacing round the table, smoking a cigarette, but listening carefully and answering questions, walks quickly to the telephone on Molotov's desk and puts himself through to the N. K. V. D.)

Molotov: (also gets up and goes to the telephone)—"It does not connect like that" (he turns the switch and sits down again at the conference table.)

Stalin: (telephoning) "Stalin here. Have all Poles been released from prison?" (Silence for a moment while he listens to the reply.) "I have with me here the Polish Ambassador, who tells me not all." (He again listens to the reply, then puts down the receiver and returns to the conference table.) "I also would like to put a question to Mr. Ambassador. When and where does the Polish Army want to operate against the Germans. . . ."

After a few minutes discussion on the subject thus introduced by Stalin, the telephone rang, and he left the conference table and listened for a while, probably to the answer to the question previously asked concerning the release of Poles. After replacing the receiver he returned to the table without saying a word.

### 13. 15.11.41. *Kot-Molotov conversation and Polish Embassy's pro-memoria.*

Because of the discussion concerning the missing officers and the whole question of releases in his conversation with Stalin, the Polish Ambassador did not return to these subjects in his conversation with Molotov on the following day. Instead he handed him a pro-memoria in which he stated the conviction of the Polish Government that "all Polish citizens on U. S. S. R. territory who are fit for military service ought to join the ranks of the Polish Army to fight Hitler, but this requires:

"1. the putting into effect of a full amnesty for Polish citizens by freeing all those held in prisons and forced labour camps;

"2. the incorporation into the ranks of the Polish army of all Polish citizens fit for military service."

### 14. 19.11.41. *Pro-memoria of the N. K. I. D.*

In answer to point 1 of the pro-memoria of 15.11.41, the N. K. I. D. (U. S. S. R. Foreign Office) sent a pro-memoria on 19.11.41, repeating the thesis of Molotov's note of 8.11.41 concerning the "putting into effect . . . in every respect of the amnesty for Polish citizens."

<sup>1</sup> General Sosnkowski was a minister in General Sikorski's Government from 1939-1941, not Chief of Staff.

#### 15. *Further efforts of the Polish Embassy.*

The Polish Embassy's untiring efforts to bring about the release of Polish citizens still held in captivity were not affected by Molotov's note of 8.11.41. The tremendous numbers of complaints and other information reaching the Embassy concerning the detention of Polish citizens formed the basis of 55 notes handed to the N. K. I. D. in the course of 9 months (October 1941–June 1942), giving the names and particulars of about 6,000 Polish citizens and the addresses of the places where they were detained. But those notes did not include the names of the missing officers, since their whereabouts were unknown.

#### 16. *4.11.41. General Anders' letter to the N. K. V. D. and action of Polish Army Headquarters in the U. S. S. R.*

Besides the efforts of the Embassy, intervention on behalf of the missing officers was made by General Anders and Polish Army Headquarters in the U. S. S. R. The Ambassador, as a diplomatic representative, could approach the N. K. I. D. (Foreign Office) only, but General Anders decided that, not being restricted by diplomatic protocols, he would go directly to the N. K. V. D., who had all Polish prisoners and prisoners of war under their control and were responsible for their fate.

In a letter to the N. K. V. D. dated 4.11.41 "in connection with the release of Polish prisoners of war and Polish citizens at present in prisons and labour camps in the U. S. S. R." General Anders gave "certain data concerning the places of detention of Polish citizens together with a list of names"—stressing simultaneously that those data were an insignificant part of the information in the possession of the Polish Army Staff and promising to send the rest of the data later on. In this letter the number of missing officers was given as 8,772, with the comment that this number did not include all who were missing. At the conclusion of the letter it was stated that: "According to verified information received from London, not one of the prisoners of war for whom we are looking, and who were on U. S. S. R. territory in the years 1940–1941, are at present on Polish territory, neither have their families received any news from them. According to verified information, none of them are in prisoner of war camps in Germany".

The Polish military authorities received no reply to this letter, but during a diplomatic conversation a representative of the N. K. I. D. (Foreign Office) drew the Polish Ambassador's attention to the fact that it was incorrect for General Anders to approach the Soviet Civil authorities.

All this time, a special department of the Polish General Staff in the U. S. S. R. worked strenuously on the problem of the missing officers (see p. 147 above), keeping the Ambassador informed of their progress. When sending the Ambassador a copy of certain reports on this question from officers found at Griazovietz, General Anders wrote: "In the camps at Starobielsk, Kozielsk and Ostashkov there were at the same time, 8,722 officers, not counting cadet officers, State administration officials, judges, public prosecutors, Frontier Guards, prison guards, police, etc. The Soviet authorities have declared several times that a considerable number of the above officers were released and sent home in the autumn of 1940. But that does not conform to the truth, since:

"1. there was not a single case of the families of the above mentioned prisoners knowing anything of their fate.

"2. searches carried out in German camps for officers gave negative results.

"3. our own Intelligence Service in Poland says that those officers are not on Polish territory.

"We already possess the most accurate information to the effect that many convoys of Polish officers were sent via Magadan to Kolyma. There are among us officers who were included in those convoys and have returned". (This last sentence was based on a misunderstanding, for the information he mentions refers to officers from Starobielsk III—(see p. 148 above).

General Anders' foregoing remarks were sent with the report of one of the officers, who concluded with the following remarks: "It is already possible to draw two conclusions from the many hypothesis and enquiries and from the fact of the hitherto complete silence on that part of more than 8,000 officers and several thousand other ranks,—all prisoners of war:—firstly,—the 'special' camp at Griazovietz was the only camp for Polish prisoners of war after June, 1940, and was obviously formed so that, should the need arise, it would be possible to prove the existence of a certain number of officers and other ranks of the Army and police, doctors, judges, and various civilians, ranging in age from youths of school age to, old men (forming more or less a cross-section of the Polish community); secondly,—the fact that up to the present moment the mass of missing prisoners have not



given a single sign of life, not one S. O. S., confirms irrefutably the conclusion that they have been systematically condemned to extermination and deported to the most distant and inaccessible parts of Russia, from where there is no means of communicating with the rest of the world, from where there is no return.

"The declaration that they were transferred to German occupied territories . . . bears absolutely no examination. It is sufficient that our relatives in Poland and abroad, with whom we were able to establish contact for the second time from October, 1940, to May, 1941, were constantly enquiring about the fate of their fathers, husbands and brothers, who were with us in the camps of Starobielsk, Kozielsk and Oshashkov until May, 1940.

"Assuming the Soviet authorities have no other intention but that of loyally carrying out the agreement concluded with the Polish Government, it must be supposed that the continued detention of Polish prisoners of war is caused only by technical and administrative difficulties. If that is so, let the Soviet authorities help us by disclosing without delay the whereabouts of former Polish prisoners of war, so that immediate steps can be taken to rescue them with the help of the Governments and peoples of Great Britain and the United States."

It can be seen from the document quoted above that the Polish military and civilian authorities were in complete agreement as to the probable fate of the missing prisoners of war. They did not believe in the assurances that the prisoners had been released in 1940; they assumed that they had been condemned to live under very hard conditions; but the thought did not enter their heads that of more than 8,000 prisoners of war not one remained alive.

#### CHAPTER XII. THE QUESTION OF THE MISSING OFFICERS DURING GENERAL SIKORSKI'S VISIT TO THE U. S. S. R.

The difficulties encountered in the U. S. S. R. by Polish diplomatic representatives and by the Polish military authorities in their dealings with the Soviet authorities impelled General Sikorski to attempt a radical solution of these problems by personal discussions with the highest Soviet officials.

One of the main purposes of General Sikorski's visit was to bring about the complete fulfilment of the Polish-Soviet agreement, concluded some months previously; in his first conversations with Stalin, General Sikorski therefore emphasized his opinion that "it depends on the loyal carrying out in full of the (July) agreement whether we now stand at a turning-point of history" and expressed his fear that the "slow execution of the agreement" would weaken the policy of close and friendly co-operation between the two States.

From the Polish point of view, one of the essential advantages of the July agreement was the freeing of all Polish citizens who had been taken prisoners and deported to the U. S. S. R. and the formation of a strong Polish Army to fight the Germans. When General Sikorski mentioned the "slow realisation" of the agreement he was referring to both these points and by implication to the missing officers, who were indispensable to the organisation of the Polish Army in the U. S. S. R. and who, according to the belief of the Polish civil and military authorities, were still in Soviet prisons or camps.

For General Sikorski's use in his conversation with Stalin the Embassy prepared a "Note on the question of interned (!) soldiers of the Polish Army from the camps at Starobielsk, Kozielsk and Ostashkov, deported to forced labour camps in the Far East and not released by 1.12.41," dated 1.12.41. As the "note" contained all the information in the possession of the Polish authorities and reflected their opinions on the whole question at that time, a certain amount of attention must be devoted to it.

In the introduction to the "Note," the "irrefutable fact" was stated that "over 95 % of all servicemen from the afore-mentioned three camps were removed and all trace of them was lost".

The "state of the three camps at the commencement of their liquidation" was then given:

**STAROBIELSK:** 3,920 officers (including several dozen judges and public prosecutors, 30 cadet officers. 50% regular officers, 8 Generals, 100 Colonels and Lt.-Colonels, 250 Majors, 1,000 Captains, 2,500 1st and 2nd Lieutenants, 380 Doctors, including about 20 mobilised university professors and some famous doctors). Between 5.4.40 and 12.5.40 the camp was evacuated in small groups until its final liquidation. 10 officers remained in the hospital. The formation of "Starobielsk II" began in July 1940.

**KOSIELSK:**—5,000, including 4,500 officers. Final liquidation 12.5.40. New camp formed under the same name.

OSTASHKOV:—about 6,000 persons, including 5,000 policemen, 1,000 military and civil frontier guards. No Officers (false information—see chapter IV above). Liquidated May, 1940.

Continuing with short description of the camps at Pavlishtchev Bor and Giazovietz, the "Note" formulated the following conclusions and postulates:

#### CONCLUSIONS:

1. The camp at Giazovietz was specially formed from inmates of various camps and from heterogeneous elements, possibly in an attempt to create a cross-section of the Polish community.

2. The complete isolation of the rest of the officers, numbering over 8,000, and several thousand other rank—valuable elements—would appear to testify to a desire to destroy them according to a fixed plan by sending them to places from where there is no return.

3. a. Ill-will is proved by the fact of not supplying the Embassy with lists of prisoners of war in spite of numerous demands and despite Soviet affirmations of their possession of such lists. On the contrary, they themselves demand lists from us, in order to ascertain what and how much we know about the prisoners;

b. in notes and verbal statements they obstinately repeated that "all have been freed," in spite of 10 notes handed to them by the Ambassador containing about two thousand names and in many cases exact addresses, even to the numbers of prison cells;

c. Stalin's general promise of 14.11.41 that "he will look into the matter" was the only answer to the Polish Ambassador's attempt to traverse the wall separating those many thousands of Poles from the rest of the Polish community in the U. S. S. R.

#### OUR POSTULATES:

The Army Staff submitted a list of officers from the camps at Starobielsk, Kozielsk and Ostashkov, containing nearly 4,000 names. The extracts included in this note from the reports officers who have returned from camps in the Far East may indicate the whereabouts of our imprisoned officers. The Soviets must change their attitude regarding these prisoners by:

a. immediately releasing all our citizens from camps in the Far East, at Kolyma, in the region of the river Yenisei, at Norylsk, in Franz Josef Land and Novaya Zemlya;

b. immediately establishing radio contact with them and enabling them to return as soon as climatic conditions permit.

The additional verbal information supplied to General Sikorski by Ambassador Kot and General Anders, with whom he arrived in Moscow and who were present at his conversation with Stalin followed the same lines. During this conversation, which lasted two hours and a half, General Sikorski handed Stalin the list of missing officers which had been drawn up by the Army General Staff, containing 3,845 names.

The following account of the conversation at the Kremlin on 3.12.41 concerning the question of releases, and in particular that of the missing officers, is taken from Polish notes written directly after the meeting:

Sikorski: (after greeting "one of the real creators of modern history").—

"I shall begin by saying that I have had nothing to do with and shall never agree with the policy directed against Soviet Russia for the last twenty years. I therefore had a moral right to sign the agreement, which may be the crowning of the theories which I have held for so long . . . I do not want the slow realisation of the terms of the agreement to weaken the policy of close co-operation between our two countries. On the loyal fulfilment of the agreement depends whether we now stand at the cross-roads of history. That depends on yourself whose decisions are final in this country. Our agreement must be put into effect, so that our people will cease to be harassed and driven. I am well aware of the difficulties in which Russia finds herself . . ." (next few sentences are devoted to the necessity of a second front and the technical difficulties of its execution).

"But I must return to our affairs. I declare to you, Mr. President, that your announcement of an amnesty has not been fulfilled. A great many, and indeed most valuable, of our people are still in labour camps and prisons."

Stalin: (makes a note)

"That is impossible, for the amnesty applied to everyone and all Poles have been released" (the last words are directed at Molotov, who nods).

Anders: (at the request of General Sikorski gives details).

"That does not correspond to the real state of affairs; we have absolutely accurate data showing that first Jews were released from the camps, then Ukrain-

ians and finally the physically weaker Polish labour material. The stronger ones were detained, or only a small proportion of them having been released, I have people in the army who were freed only a few weeks ago from such camps and who affirm that in certain camps there still remain hundreds, even thousands, of our compatriots. The Government's orders are not put into effect there, because the commandants of the particular camps, having an obligation to carry out the production plan, do not want to lose their best labour, without which the execution of the plan would sometimes become impossible."

(Molotov smiles, nods his head.)

Anders: "Those people completely fail to understand the whole importance of our common cause, which is thus suffering a severe set-back."

Stalin: "Those people ought to be brought up for trial."

Anders: "That is so."

Sikorski: "It is not our business to provide the Soviet Government with exact lists of our people, but the camp commandants have complete lists. I have with me a list of about 4,000 officers, who were forcibly deported and who are at present still in prisons and labour camps; but even this list is not complete, containing only names supplied from memory. I ordered an investigation to be made to ascertain whether they are not in our country, with which we are always in contact. It has turned out that none of them are there, nor in camps for Polish prisoners of war in Germany. Those people are here; not one of them has returned."

Stalin: "That is not possible. They escaped."

Anders: "Where could they have escaped to."

Stalin: "Well, to Manchuria."

Anders: "It is not possible that they could all have escaped, especially since from the moment of their transfer from prisoner of war camps to labour camps and prisons correspondence with their families ceased entirely. I know definitely from officers who have already returned even from Kolyma that many of our officers, whose names they mentioned, are still there. I know that there were even convoys of Poles already prepared for release and departure, who at the last moment were detained. I am informed that our people are to be found even in Novaya Zemlya. A great many of the officers named on this list are personally known to me. Among them are my staff officers and commanders. Those people are perishing and dying there under the most terrible conditions."

Stalin: "They have certainly been freed, but have not yet arrived."

Sikorski: "Russia is large and the difficulties are also great. Perhaps the local authorities have not carried out their orders. Those who have been released and arrived say that the others are vegetating and working. If anyone had crossed the frontiers of Russia, he would certainly have reported to me."

Stalin: "You must know that the Soviet Government has not the least reason for detaining a single Pole. I have even released Soxnkowski's agents, who attacked us and murdered our people."

Anders: "But reports are pouring in about people who are well-known to us, giving the names of prisons and numbers of cells in which they are confined. I know the names of a great many camps, in which a tremendous number of Poles are detained and must go on working."

Molotov: "We have only detained people who committed crimes, carried out diversionary activities, set up radio stations etc, after the outbreak of war. You are surely not concerned with them . . ."

(The conversation was then turned to the living conditions of Poles in the U. S. S. R. after their release from captivity. In the course of the discussion General Sikorski said amongst other things:)

Sikorski: "It is in the interest of the common war effort to make proper use of our people. You naturally understand, Mr. President, that a specialist in building tanks who is cutting trees in the forest is not being made full use of, nor is an eminent chemist, who is doing manual labour in the fields . . ."

"Everyone should be immediately freed from the camps, leaving only those who have settled in tolerable conditions. The unco-ordinated transfer of people here and there only creates bad morale, for they find themselves in very bad conditions and so it appears to them that in making an agreement with you I have done a bad thing for them. People are dying as a result of the terrible conditions. Those corpses will be a drag on our future relations . . ."

(General Sikorski then raises the question of social welfare for Polish citizens and of sending delegates of the Embassy to the places concerned.)

Stalin: "I agree to the delegates, and in Vladivostok too."

Molotov: "I do not think it is possible that your people are still in the camps."

Anders: "Nevertheless I state most definitely that they are; I repeat that the strongest are retained there because workmen are needed. By not freeing our people they are doing a bad service to the common cause."

Stalin: "That will be arranged. Special instructions will be issued to the executive authorities, but it must be remembered that we are waging war."

General Sikorski's conversation with Stalin again confirmed the conviction of the Poles that the missing officers were alive and were detained in labour camps in the Far North. This belief was strengthened in particular by Stalin's assurance that the missing officers "have certainly been freed, but have not yet arrived", and by his promise that "special instructions will be issued to the executive authorities."

The above quoted conversations of the Polish Prime Minister at the Kremlin, and similarly all the Ambassador's previous conversations, show how far the Polish representatives were from the supposition that of several thousand officer-prisoners of war not one remained alive. The thought did not even occur to them that the Soviet authorities could entirely disregard international conventions and customs accepted by the whole world in respect of prisoners of war, that they could treat them as "bourgeois prejudices". Judging their partners, in spite of everything, according to the standards of the civilised world, the Poles never gave up hope that the missing officers, though perhaps decimated by the hard conditions under which they were kept, would nevertheless be returned to the Polish Armed Forces in the U. S. S. R., which were being organised for the purpose of fighting the common foe.

#### CHAPTER XIII. EFFORTS OF THE MILITARY PLENIPOTENTIARY ON BEHALF OF FORMER PRISONERS OF WAR IN THE U. S. S. R.

The fruitless diplomatic negotiations which had been going on for several months on the subject of the missing officers and the general declarations and promises made by the Soviet authorities, but never fulfilled, gave rise to anxiety and consternation among the several hundred liberated prisoners of war and among the missing prisoners' numerous relatives and friends who had been deported to the U. S. S. R. They all knew from personal experience of the hard conditions of life in Soviet prisons and camps and were well aware that each additional day of captivity meant more deaths and more invalids. Like the Polish authorities, they were convinced that the missing officers were detained in the worst camps somewhere in the vast areas of the U. S. S. R. and severely criticized the Polish authorities for failing to intervene effectually with the Soviet authorities. The approaching winter, with its frightful Siberian frosts, caused complete despair. Many officers offered to search personally for their missing fellow-prisoners and friends. Although only recently freed from prisons and camps, they were willing to sacrifice themselves in order to give their fellow-prisoners a word of encouragement, in order to assure them that everything possible was being done to help and liberate them. They also believed that, if they could discover the whereabouts of the missing officers, the Soviet authorities would no longer be able to give evasive answers to Polish representatives and would be compelled to free the prisoners hitherto detained.

The responsible Polish authorities, realising the impossibility of "private searches" in Soviet conditions, appealed for calm and patience. But as time passed and the frosts drew nearer, it became more difficult to be patient.

The announcement of General Sikorski's visit to the U. S. S. R., and his personal intervention with Stalin himself in the case of the missing officers, gave rise to fresh hopes. The results of this intervention were received optimistically by the highest Polish authorities, but more pessimistically by public opinion.

December had now passed and none of the missing prisoners had reappeared nor shown any sign of life. Volunteers constantly joining Polish units after having been released from camps and prisons also brought no information as to the whereabouts of the missing officers.

The fact that the position remained unchanged as a result of the "special instructions", announced by Stalin at the beginning of December, caused a fresh wave of despair among the Polish Armed Forces in the U. S. S. R. And when Griazovietz' officers discovered that the "FULAG" (Camps Chief Command, see page 136) responsible for all Soviet forced labour camps, had been evacuated from Moscow to Chkalov (Orenburg), they began to urge that official intervention with the Soviet central authorities was not sufficient and that the case of the missing officers should be taken up with the authorities directly responsible for their fate.

General Anders, sharing this opinion and being to a certain extent subject to the general feeling prevalent among his officers, agreed to send as a delegate to Chkalov an officer who, having been a prisoner of war at Starobielsk and possessing many friends among the missing officers, guaranteed to do everything possible in the matter. Invested by General Anders with special plenipotentiary powers and carrying with him a letter in the latter's handwriting recalling the declarations made by Stalin in his presence concerning the detention of Polish citizens, Captain Joseph Czapski went to Chkalov at the beginning of January, 1942, as a special plenipotentiary of the Headquarters of the Polish Armed Forces in the U. S. S. R., to investigate the question of former Polish prisoners of war.

After his arrival at Chkalov the plenipotentiary had great difficulty in finding the "GULAG", which had been evacuated from Moscow; at first he was assured that there was no institution of this kind at Chkalov, but when he mentioned the name of the Commandant of the "GULAG", General of the N. K. V. D. Nasiedkin, and showed the letter from General Anders, who had personally discussed "this very question" with Stalin a month previously, he was received on the same day by General Nasiedkin and by Bzyrov, chief of the N. K. V. D. in the province of Chkalov.

Nasiedkin received Captain Czapski in his office, on the wall of which hung an immense map of the U. S. S. R. indicating the offices of the lower "GULAG" authorities and the camps under their control. Most of these camps were concentrated on the Kolo peninsula, at Kolyma and in the neighbourhood of Verkhoyansk in Siberia. Captain Czapski was particularly interested in the last-mentioned place, as no-one had so far arrived from that area to join the Polish Armed Forces. This seemed to confirm the "optimistic" theory that the missing officers were hidden in some special camp unknown to the Polish authorities.

When Captain Czapski referred to the three camps and to Stalin's definite order concerning Polish prisoners of war, issued in the presence of General Anders, Nasiedkin declared that he knew absolutely nothing about the matter, as at the time of the evacuation of the said camps—in the spring of 1940—he was not yet head of the "GULAG". He added that in any case the "GULAG" controlled only "correctional labour camps" containing prisoners condemned by the courts, and had nothing to do with prisoner of war camps. In principle he did not exclude the possibility that Polish servicemen might be detained in "correctional labour camps" and promised to clarify the matter and supply full particulars on the following day. Commenting on the rumours that the missing officers had been sent to islands in the Arctic Ocean—Novaya Zemlya and Franz Josef Land—General Nasiedkin assured Captain Czapski that the "GULAG" had no camps on those islands and had not sent anyone there; that if any prisoner of war camps existed there, they were not controlled by the "GULAG". The General's words were borne out by the map hanging behind him, on which no camps were marked on the above-mentioned islands. In the presence of Captain Czapski the General telephoned orders for the detailed preparation of a report for the following day concerning the prisoner of war camps at Kozielsk, Starobielsk and Ostashkov, quoting from General Anders' letter the words: "on the orders of Comrade Stalin." In general the intervention seemed to be progressing satisfactorily and Captain Czapski was full of hope when he took leave of General Nasiedkin.

In the late evening of the same day Captain Czapski was received by Bzyrov. The conversation was conducted in the presence of two other N. K. V. D. officers. Treating General Anders' plenipotentiary with great courtesy and assuring him of his desire to do everything possible to assist him, Bzyrov advised him to refer the matter only to the highest central authorities, who alone could supply him with positive and concrete information. During the conversation the names of Merkulov and Fiedotov, the Deputy People's Commissars for Home Affairs, were mentioned as being the only people who could throw any light on the problem. Reports to the effect that the missing officers were on islands in the Arctic Ocean by no means surprised Bzyrov; on the contrary, he himself pointed out on the map the port of Dudinka, situated at the mouth of the river Yenisei, telling Captain Czapski that the largest convoys of workers were sent North from there. Thus without expressly confirming these reports, Bzyrov seemed to support them to be putting Captain Czapski on that tract.

During Captain Czapski's next visit to Nasiedkin, the conversation followed exactly the line taken by Bzyrov. The General received him most courteously, but there was a marked change in his manner. He informed Captain Czapski that he had communicated with Kuybyshev and could tell him nothing, as only the central authorities could elucidate this question. Czapski's attempts to dis-

cuss further the theoretical possibility of the prisoners being on the islands of Novaya Zemlya and Franz Josef Land were dismissed by General Nasiedkin with a few remarks, showing the fundamental change which had taken place in his attitude. He said that it was possible that Northern sections of the "GULAG" had sent a few groups of workers to those islands, but the several thousand people for whom the Captain was searching were certainly not there. The General agreed to accept the list of 3,845 names submitted by the plenipotentiary and to forward it to the central authorities at Kuybyshev, who alone were competent to deal with the question.

Direct approach to the "GULAG" therefore gave no results. The plenipotentiary obtained the impression that the Commandant of the "GULAG" was surprised by his first visit and was subsequently rebuked by his superiors for speaking to a foreign representative without special authorisation and without proper instructions. That would explain General Nasiedkin's changed attitude during the second conversation. This theory was fully confirmed a few days later by a representative of the N. K. V. D. attached to the Polish Forces in the U. S. S. R., who remarked that journeys such as that made to Chkalov are not undertaken in Soviet Russia and requested that such a thing should not occur again. General Anders answered that he would take cognizance of the remark and the request and would send the same plenipotentiary to the central authorities in Moscow, as he desired at all costs to solve the problem of the missing officers, without whom he was unable to build up the Polish Forces in the U. S. S. R.

In the middle of January 1942 the plenipotentiary went to Moscow via Kuybyshev, taking with him new and no less definite instructions and letters from General Anders and determined to approach the central N. K. V. D. authorities. At the head of the Commissariat for Home Affairs was People's Commissar Beria, with Merkulov and Fiedotov as his deputies; next in the N. K. V. D. hierarchy came Generals Raykhman and Zhukov, both of whom were taking part in the organisation of the Polish Forces in the U. S. S. R. General Anders therefore knew them personally and it was to them that he sent letters through Captain Czapski.

Czapski arrived in Moscow on 29.1.42 and began making attempts to obtain a pass for the N. K. V. D. offices and to arrange audiences with Generals Raykhman and Zhukov. Both turned out to be far from easy. General Zhukov was apparently not in Moscow, and it was only after trying for several days that Czapski was received by Raykhman on 3.2.42.

Czapski had prepared a short memorandum setting out the whole question of the missing officers and an account of previous Polish intervention with the Soviet authorities. On 3.2.42 this memorandum was taken as the basis for conversation with General Raykhman. Its most essential points were as follows:

*"Note on the question of missing Polish prisoners of war from the camps at Starobielsk, Kozielsk and Ostashkov"*

"Prisoners of war who were at Starobielsk, Kozielsk and Ostaszkov from 1939 to April, 1940 (numbering over 15,000 of which 8,700 were officers) have not returned from the localities to which they were deported and their places of imprisonment are unknown to us; only 400-500 people, i. e. about 3% of the total number of prisoners of war in the camps at Kozielsk, Starobielsk and Ostashkov, have been released after spending a year at Gрязovietz, near Vologda, or in other prisons."

The note then gave the exact position in the camp at Starobielsk (3,920 inmates, including Generals and Colonels in separate quarters), the camp at Kozielsk (about 5,000 prisoners, including 4,500 officers), and the camp at Ostashkov (about 6,370 people, including 380 officers) at the time of the commencement of their liquidation in April, 1940. The note stated further that after the deportation of the first group from Starobielsk on 3.4.40

"the Soviet commandant, Colonel Berezhkov, and Commissar Kirshin officially assured the prisoners of war that they were to be taken to a dispersal point, from where they would be sent to their homes in Poland—whether on the German or Soviet side."

but that—

"from letters received in large quantities from Poland in the winter of 1940/41 we know for certain that no-one was sent back to Poland from Starobielsk, Kozielsk or Ostashkov at that time."

After giving a short account of the convoys sent from the three large camps to Pavlishtchev Bor and afterwards to Gрязovietz, the note stated that: "the camp at Gрязovietz was known to us as the only camp in the U. S. S. R. for prisoners of war, mostly officers of the Polish Army, from June 1940 to September, 1941."



From this camp nearly all prisoners were liberated and joined the ranks of the Polish Army in the U. S. S. R. Nearly 6 months have elapsed since the announcement of an amnesty for all prisoners of war and other prisoners on 12th August, 1941. Polish officers and soldiers, who were captured when trying to cross the frontiers after September, 1939, or arrested in the places they were living at the time, having now been released are arriving singly or in groups to join the Polish Army. In spite of the amnesty, however, and despite the categorical promises given to the Polish Ambassador in November, 1941, by Stalin himself, President of the Council of People's Commissars to the effect that prisoners of war would be returned to us, in spite of the definite orders regarding the finding and release of prisoners of war from Starobielsk, Kozielsk and Ostashkov issued by Stalin on 4th December, 1941, in the presence of the Commander-in-Chief of the Polish Armed Forces. General Sikorski and General Anders—except for the above-mentioned group from Giazovietz and a group of a few dozen people who were transported singly and released in September, not one prisoner has returned from Starobielsk, Kozielsk and Ostashkov, not one request for help has reached us from the prisoners of war who were in the above-mentioned camps . . . . We are aware of the accuracy with which each prisoner was registered; we know that a dossier of each one of us, containing the record of investigations, was kept in a personal file with identification papers and photographs; we know how diligently and accurately the N. K. V. D. performed that task, so none of us prisoners of war can imagine for a second that the whereabouts of 15,000 prisoners of war, including more than 8,000 officers, could be unknown to the highest N. K. V. D. authorities. In view of the solemn promises of the President of the Council of People's Commissars, Stalin himself, and his categorical orders for the elucidation of the fate of former Polish prisoners of war, have we not the right to hope that we may at least be informed as to the whereabouts of our brothers in arms, or that if they have perished we may at least know how and where it happened."

After quoting once again the approximate numerical data, with the comment that it was impossible for the Polish authorities to state "with absolute accuracy the total number of prisoners of war who have not returned", the note put the number of officers who had not returned from Starobielsk, Kozielsk and Ostashkov "with relative accuracy at 8,300 and emphasised the noticeable lack of officers for the organisation of the Polish Forces in the U. S. S. R. The note concluded with a paragraph on the influence of the case of the missing officers on the morale of the Polish Forces in the U. S. S. R. and their relations."

Although, according to Polish information, General Raykhman took part in all the more important investigations conducted by the N. K. V. D., although the Polish section of the N. K. V. D. was part of his department, although Captain Czapski, finally entering the General's office after a wait of some fifteen minutes, met his former commandant from the Giazovietz camp, Colonel Khodas of the N. K. V. D., leaving the same office—in spite of all this General Raykhman, after gravely and attentively reading the memorandum handed to him by Czapski and underlining certain paragraphs, declared that the whole affair was entirely foreign and unknown to him, that it did not concern his department and that only out of politeness to General Anders would he try to collect all possible information, which would however take some considerable time.

To Czapski's request to be put in direct contact with a representative of the central N. K. V. D. authorities competent to deal with the case of the missing officer prisoners of war, General Raykhman replied that Merkulov was unfortunately not at present in Moscow and that he could not suggest anyone else. In the course of further conversation General Raykhman expressed the opinion that the missing officers had simply been sent to German occupied territory and that they should be searched for there as well. When Captain Czapski pointed out that careful and thorough searches in German occupied territory and in German prisoner of war camps had yielded no results, and that the missing officers' families in Poland had received no news of them since the spring of 1940, General Raykhman did not support his casually stated opinion but only repeated his promise to collect the information and communicate it to Czapski, perhaps on the following day.

Thus Captain Czapski's further attempts in Moscow produced no results. He did not succeed in reaching any official N. K. V. D. representatives or any other departments, although he made every possible effort in this direction.

General Zhukov was also absent from Moscow, with the result that Czapski was unable even to hand him General Anders' letter. Neither did he succeed in obtaining another audience with General Raykhman, who despite his promises did not produce the required information. Then Czapski's short-dated military

permit for Moscow expired and the police began to press him to leave. His attempts to prolong his permit were without result, although he referred to General Anders' definite order instructing him to await General Raykhman's promised reply. As Czapski refused to leave Moscow without the reply, after a week of waiting he was awakened after midnight on February 10th, 1942, by a telephone call from General Raykhman himself, who most politely expressed his deep regret that, as he was suddenly leaving Moscow, he would be unable to see Czapski again concerning the matter for which Czapski had come there. In any case, added the General courteously, he could not give Czapski any important information because as far as he knew all material concerning the case in question had been sent by the N. K. V. D. to Kuybyshev and was now in the hands of the N. K. I. D. (Foreign Office) namely of Vyshinsky and Novikov, whom he advised Czapski to approach. Czapski pointed out that the Polish Ambassador had several times approached Vyshinsky and that it was only because the N. K. I. D. had given no definite or concrete replies that General Anders had turned to General Raykhman, whose friendly attitude to the Polish Army was known, with the request for assistance and personal intervention in this matter, so vitally concerning every Polish soldier. General Raykhman replied with a few polite phrases, from which however it was perfectly obvious that he would not receive Czapski again.

After the telephone conversation with General Raykhman and the reply received from him there was no further reason for prolonging his visit to Moscow, and Captain Czapski returned to Polish Army Headquarters in the middle of February, 1942, where he reported to General Anders on the complete failure of his mission.

#### CHAPTER XIV. AWAITING THE RETURN OF THE MISSING PRISONERS

After General Sikorski's visit to Moscow there was a pause in the diplomatic intervention of the Polish Ambassador in the case of the missing prisoners. Captain Czapski, returning via Kuybyshev, informed the Ambassador of the failure of his mission to the central N. K. V. D. authorities and of General Raykhman's "advice" to approach Vyshinsky and Novikov for information on this question, since they possessed all the relevant information and therefore the only people able to give the Poles the explanation they were seeking. But in the light of previous experience, the Ambassador was not interested in this "advice". Soviet diplomats, having given repeated assurances that all Poles deprived of liberty in the U. S. S. R., together with all prisoners of war, had already been released, could not—or did not wish to—give the Polish authorities an explanation, which would have to stand up to detailed investigation as to why despite the alleged release, not one out of over ten thousand prisoners of war from Kozielsk, Starobielsk and Ostashkov had so far established contact either with Polish diplomatic representatives or with the Polish military authorities in the U. S. S. R. It is true that Soviet diplomats expressed the opinion that after being released from the camps all those prisoners had illegally crossed the Soviet frontiers, but they themselves did not appear to treat this supposition seriously. They almost seemed to agree with the Polish theory that the missing prisoners, had been detained by local authorities possibly in defiance of the instructions of the central authorities, in distant labour camps either as prisoners or as "amnestied" prisoners lacking the facilities to travel to more civilised places on account of climatic conditions. But as Soviet diplomats in the course of conversations categorically denied that the missing prisoners were kept in detention with the knowledge and approval of the central authorities, renewed requests for information as to the whereabouts of the missing prisoners were pointless. Under these circumstances the Ambassador decided that there was no other alternative but to wait patiently for the summer, when transport conditions would improve, and meanwhile to carry on the search throughout the U. S. S. R.

After long and exhaustive negotiations the Soviet authorities finally agreed to the formation of 20 Delegations of the Embassy, who "in close collaboration with the Soviet authorities" were to take care of Polish citizens and compile a register of them. As Delegations were to be established in Archangel and Vladivostok, the Embassy was very hopeful that they would find some traces of the missing prisoners.

All the people who took part in these Delegations were arrested in July and August, 1942, after a few months work. They were accused by the Soviet authorities of performing intelligence work hostile to the U. S. S. R. The first Delegates to be arrested were those in Archangel and Vladivostok.

At the same time the Polish Government in London again made official representations on this question. In a note dated 28th January, 1942, London, the head of the Polish Foreign Office, Count Raczynski, pointed out to the Russian Ambassador, Bogomolov, that according to Polish information the release of Polish citizens from labour camps and "d'autres lieux de détention" in the U. S. S. R. "n'a pas été exécuté d'une façon intégrale", since "dans un nombre de cas les autorités locales administratives de L'Union n'appliquent pas, dans toute leur étendue, les dispositions du Décret soviétique en date du Août 1941."

After this general introduction, repeating the basic Polish thesis, the note laid particular stress on "le fait douloureux" that of the total number of officers and men "enregistrés dans les camps de prisonniers de guerre de Kozielsk, Starobielsk et Ostashkov" 12 Generals, 94 Colonels, 263 Majors and about 7,800 officers of lower rank had so far not been released.

Emphasising that the searches conducted on the instructions of the Polish Government "on permis d'établir avec certitude que les militaires dont il s'agit ne se trouvent actuellement ni en Pologne occupée ni dans des camps de prisonniers de guerre en Allemagne", the note pointed out that according to fragmentary information reaching London "une partie des prisonniers se trouverait dans les conditions d'existence très dures dans les îles François-Joseph, Nouvelle Zemla et sur le territoire de la République de Iakoutsk sur les bords de la rivière Kolyma."

After thus repeating once again the Polish theory of the detention of the "missing" officers in the extreme North, the note recalled "plusieurs interventions consécutives de l'Ambassade de Pologne à Kuybyshev" and stated that another list of names of missing prisoners would be handed to the Soviet Government by the Embassy. Recalling that this same question was the subject of General Sikorski's conversation with the President of the Council of People's Commissars of the U. S. S. R. and that during that conversation General Sikorski "avait été heureux d'obtenir des assurances que les instructions nécessaires seraient."

The reply of the Soviet Ambassador accredited to the Polish Government, Bogomolov, dated 13th of March, 1942 (Ref. No. 57) confirmed completely the righteousness of the views of the Polish Embassy in the U. S. S. R., that further diplomatic moves in regard to the missing P. O. W.'s are unnecessary and would not be successful.

Referring to Molotov's note of 8.11.1941., and to the aide-memoire of the N. K. I. D. (U. S. S. R. Foreign Office) of 19.11.1941, concerning the strict execution of the "amnesty" in regard to the Polish subjects in the U. S. S. R.,—Bogomolov's reply stated that: "La vérification correspondante, faite, par les organes soviétiques compétents après l'entretien du 4 Décembre 1941 entre le Président du Conseil des Ministres de la République Polonaise General SIKORSKI et le Président de Conseil des Commissaires du Peuple de l'U. S. S. R., Y. V. STALIN, a complètement confirmé le ci-dessus indiqué . . ."

and in addition, not mentioning the names of Kozielsk, Starobielsk and Ostashkov: "Etant donné que les officiers et les soldats polonais étaient mis en liberté au même titre que les autres ressortissants polonais en vertu de l'Ukase du 12 Août, 1941, tout ce qu'il a été dit ci-dessus se rapporte également aux officiers et soldats polonais."

As regards the declarations of the Polish Note that the Polish officers are still not released and that a number of such officers are on the Franz Josef and Novaya Zemlya Islands, and along the borders of the River Kolyma,—the Soviet reply declared that:—

"ces déclarations sont sans fondement et se basent, évidemment, sur l'information incertaine."

"données aux autorités soviétique compétentes et que tous les prisonniers seraient remis en liberté", the note emphasised that the "exécution efficace et rapide" of the clauses of the "Additional Protocol" concerning the release of Polish citizens "est fondée sur des motifs impérieux d'humanité et de justice", concluding with the assurance that the Polish Government attached to such execution of those clauses "un importance essentielle pour le développement favorable de nos relations mutuelles tel que le souhaitent des dirigeants de la politique des deux pays, unis dans la lutte commune contre l'envahisseur".

In the meantime the Polish Army Staff in the U. S. S. R., was carrying out the tedious task of completing and checking the lists of names of missing prisoners. At the beginning of March, 1942, the list contained 4,518 names, representing 30% of the prisoners deported from the three large camps in April and May, 1940. The Polish authorities fully realised that this task, involving so much energy and work, was entirely unnecessary, since, in view of the accuracy of the

evidence compiled by the N. K. V. D. in the camps, the Soviet authorities undoubtedly possessed complete and detailed records.<sup>1</sup>

Nevertheless, General Anders handed that list to Stalin himself on March 18th, 1942, repeating once again the essential facts concerning the missing officers.

There were present at that conversation Stalin, with Molotov and a Soviet stenographer, and General Anders accompanied by his Chief of Staff, Colonel L. Okolicki.

The following is the relevant part of the conversation:—

Anders; "Moreover, many of our people are in prisons and labour camps. Recently prisoners are reporting all the time. So far not one officer removed from Kozielsk, Starobielsk or Ostashkov has reappeared. You certainly must have them. We have collected additional information about them" (he hands over the lists of names which is taken by Molotov). "Where can they be? We have traces of their whereabouts on the Kolyma river."

Stalin: "I have already given orders that they are to be freed. They say they are in Franz Josef Land, but there is no one there. I do not know where they are. Why should we keep them? It may be that they were in camps in territories which have been taken by the Germans and were dispersed."

Okolicki: "Impossible—we should have known of it."

Stalin: "We have detained only those Poles who are spying for the Germans."

(The subject of conversation then changes and a discussion follows on Polish-German relations at the time when Beck was Foreign Minister.)

Only the future was to reveal the importance of the sentence which the Soviet dictator let fall "en passant".

Among the Polish citizens deported to the U. S. S. R., were a large number of relations, friends and acquaintances of the "missing" officers. Those friends and relations, on being released from their prisons, labour camps and places of deportation, began to search for the missing prisoners, as a rule applying to the Polish military authorities and to the Embassy for information. These letters caused a great deal of trouble, for the anxious families, dissatisfied with the Polish authorities' replies, showered them with further letters demanding more detailed explanations. In consequence of the ever increasing anxiety among Polish circles with regard to the case of the "missing" prisoners the question of publishing, an official communiqué in "Polska", the official journal of the Embassy, appearing in Kuybyshev, was mooted.

This communiqué, couched in exceptionally careful terms, recalled the promises given by representatives of the Soviet authorities on many occasions in answer to Polish request and, on the strength of these promises, appealed to people to wait patiently for the probably imminent return of the prisoners in summer. This communiqué was approved by the Ambassador on March 8th, 1942, but never appeared in "Polska" having failed to pass by the Soviet censorship. Soon afterwards the censorship prohibited the families of people missing all over the vast territories of the U. S. S. R. from publishing their names in "Polska".

As a result of the wide-spread conviction in Polish circles that the missing prisoners were somewhere in the extreme North, hopes of their return rose as spring approached. These hopes were sustained by rumours, that traces of the prisoners had been found in this or that region, that the Soviet authorities were preparing to receive convoys of Polish prisoners who were expected to arrive from the Far North. Such rumours noticeably gained strength in and after March, 1942; people repeating them in many cases quoted more or less official Soviet representatives as the source of their information. This later gave rise to the assumption that the rumours were deliberately spread by the Soviets, probably with the object of calming the increasing impatience of the Polish public, to prevent further diplomatic intervention and to postpone the disclosure to the world of the fact about the missing Polish prisoners of war.<sup>2</sup>

<sup>1</sup> It may be recalled that on November 2nd, 1941, Vyshinsky declared to the Polish Ambassador: "We have records of everyone, alive or dead, I have promised the details and I will produce them. . . ." (see p. 172 above).

<sup>2</sup> In the "History of the 6th Lwow Infantry Division" (Polish Armed Forces in the U. S. S. R.), we find on page 35 of the manuscript the following paragraph: "at the end of March 1942 a rumour suddenly began to circulate to the effect that some of them (the missing prisoners) were returning to us from the Far North. That rumour gathered strength in April, May and June. By July no-one believed that they would come. Then suddenly, at the end of July, Army Headquarters was officially informed that a group of 50 persons were coming to our Army . . . It turned out that they did in fact come from the North, the majority from the Kolyma river, others collected from all over the Northern regions (from Archangel to the river Kolyma); there were a few officers of the reserve, but not one of them had been at Ostashkov, at Kozielsk or at Starobielsk. Thus ended the tale of the return of some of the officers from these camps. Persistently supported by someone, that tale was kept alive in our ranks for several months."

On 29.3.42 Witness 27 produced a written report of his conversation with an officer of the Red Army, who had apparently returned from an island in the Far North, where his unit was defending a base. Asked how

As a result of the wave of rumours, many members of the Embassy were of the opinion that the best thing to do was to wait patiently for the missing prisoners, who would presumably return in the near future in view of the approach of summer, and that the question should not be taken up again with the Soviet authorities. Nevertheless, on 19.5.42 the Embassy handed the N. K. I. D. (Foreign Office) a Memorandum on the questions relating to the fulfilment of the Additional Protocol to the Polish-Soviet Agreement of 30.7.41, elaborating all matters connected with the detention of Polish citizens in prisons, labour camps and forced exile and the way in which the Soviet authorities competent to release them had handled the situation. The memorandum dealt with the case of the missing officers in the following paragraph:—

"No less anxiety (than in the case of Polish scholars) is felt by the Polish Government and by the Headquarters of the Polish Forces in the process of formation in the U. S. S. R. over the fate of Polish soldiers and officers, taken prisoner by the Red Army in 1939, detained in the camps of Starobielsk, Kozielsk, Ostashkov and other prisoner of war camps, and subsequently, in May and June 1940, removed in groups from these camps in an unknown direction. This question was raised on several occasions in conversation with the highest representatives of the Soviet Authorities, who seeming to have solved it most loyally, clearly and definitely, in a satisfactory way for Poland, but nevertheless, in practice neither solved nor even elucidated it.

The Soviet authorities are in possession of accurate lists of their former prisoners of war, who, for reasons unknown to the Poles, have up to date been unable to rejoin their own battle standards. Nevertheless, at the request of the Soviet authorities and in order to facilitate their search for the missing Polish officers, comprehensive lists were handed over by the Polish Prime Minister and Commander-in-Chief, General Sikorski, on 3.12.41 and by the Commander of the Polish Forces in the U. S. S. R., General Anders, on 18.3.42.

The above lists were drawn up from memory with great difficulty by a few former prisoners from Kozielsk, Starobielsk and Ostashkov, who for various reasons had managed to escape the fate of the officers deported in groups from those camps by the Soviet authorities in May and June 1940. The lists are constantly augmented on the basis of information received from the Polish Government in London and of complaints and letters from despairing families, who until about that time corresponded by letter or telegram with their relations in the afore-mentioned camps, but whose correspondence, sent to the same addresses which had been until now the correct ones was after June 1940, returned by the Soviet postal authorities bearing the stamp "retour-parti".

The above-mentioned lists are still not complete, since of over 15,000 Polish prisoners of war, including 9,000 officers, formerly in the prisoner of war camps at Kozielsk, Starobielsk and Ostashkov, they contain no more than 4,000 names, including 12 Generals, 94 Colonels and Lieutenant-Colonels, 263 Majors and about 3,500 junior officers. None of these commanders, so necessary to the common cause of the Allied Powers in the present bitter war, have so far returned to the Forces, nor have they given a sign of life; those of them who remain alive continue to be deprived of liberty, contrary to the obligations contracted by the Government of the U. S. S. R. in the Agreement of 30.7.41, contrary to the clauses of the Decree of the Presidium of the Supreme Council of the U. S. S. R. of 12.8.41,

it was possible to establish a base under such severe climatic conditions, the Soviet officer answered that there was no lack of workers, since many thousands of condemned prisoners were working on the island, among them "your" officer prisoners of war from 1939, to whom he had spoken personally. They had been transferred there from camps in the South of Russia. He remarked that if he had known that he would meet Poles he would have made a note of the prisoners' names, as he spoke to them on many occasions. Their living conditions were appalling. They worked in two shifts; they had no warm clothes or boots, and the mortality rate was very high. That officer was withdrawn from coastal defence and transferred to Chkalov.

Witness 28 was released from the hospital of the N. K. V. D. "OMLAG" (Omsk correct Labour camp) at Omsk on 6.2.42. After his arrival at a recruiting centre of the Polish Forces on 8.4.42 he stated that the head of the hospital at Aganov, when handing him his certificate of release, said "You see, at the place where you were working our people are now already building the road along which your officers will return from Franz Josef Land." Asked during interrogation for a more detailed description of the place where he was previously working Witness 28 pointed on the map to the region of the mouth of the river Ob. On his way from Omsk to the Polish Forces in the South, the same witness met a man who declared that he was a Polish policeman returning from Franz Josef Land, where the release of policemen had already begun and the release of officers would soon be started.

Witness 29, who was Polish registration officer in Pavlodar from February-March 1942, met there a woman "plenipotentiary" of the People's Commissariat of Justice, who was responsible for checking the indictments of Polish citizens detained after the "amnesty". In her work this Soviet official showed great sympathy for the Poles and during a private conversation with Witness 29 she told him that prisoners of war from Starobielsk, Kozielsk and Ostashkov had been sent to the Far North in normal conditions, but that now the war had so complicated the situation with regard to transport and supplies that the return of only a small proportion of them could be hoped for in the summer months of 1942.

and contrary to the statements that all Polish citizens, who were deprived of their freedom as prisoners of war or on other adequate grounds, had already been released."

On 13.6.42, as a result of precise information received by the Embassy, concerning the detention by the Soviet authorities in Northern forced labour camps of two former prisoners of war, deported individually before the liquidation of the three large camps in April and May, 1940, the Embassy once again raised the question of the missing prisoners in a note to the N. K. I. D.:

"In various conversations with the highest representatives of the authorities of the U. S. S. R. the question has been raised of restoring liberty to the servicemen of the Polish Army, predominantly officers, who were in the prisoner of war camps at Kozielsk, Starobielsk and Ostashkov. Those camps were liquidated in 1940, and the prisoners were removed in groups in April and May of the same year in a direction unknown to the Embassy. Since then all trace of them has been lost. Hitherto the N. K. I. D. has given the Embassy no explanation of this matter.

The Embassy has pleasure in informing the N. K. I. D. that it has obtained the following particulars concerning the case of two people, who were formerly in the prisoner of war camp at Starobielsk, were removed from there during the aforementioned period and subsequently found themselves in forced labour camps: Maximilian Hoffman in the Kargopol camp, Yercevo station, province of Archangel; Włodzimierz Pawlukiewicz in the Ustviński camp in the Komi Republic.

The above facts prove the truth of statements made by Polish representatives in conversations with the highest representatives of the Soviet authorities and with representatives of the N. K. I. D., asserting that those officers of the Polish Army and police from the prisoner of war camps at Starobielsk, Kozielsk and Ostashkov who were deported to forced labour camps are still in those camps, in spite of the clauses of the agreement of 30.7.41 and of the Decree of the Supreme Council of the U. S. S. R. of 12.8.41 . . .

The Polish Embassy would be very grateful to the N. K. I. D. for the earliest possible reply both in the case of the two Polish citizens mentioned above and on the general question raised in this note of former prisoners of war from the camps of Starobielsk, Kozielsk and Ostashkov—particularly in view of the fact that 10 months have already elapsed since the conclusion of the Agreement of 30.6.41 and the issuing of the Decree of the Supreme Council of the U. S. S. R. on 12.8.41."

The Embassy received no reply to that note, but the Soviet reply to the Memorandum of 19.1.42 was received on 10.7.42 in the form of an Aide-memoire. In it the N. K. I. D. stated:

"The People's Commissariat has already on several occasions met with statements of the Polish Foreign Office and Embassy alleging that a considerable proportion of Polish prisoners of war have not yet been released. In this connection it should be recalled that the question of the full execution of the Decree of Amnesty for Polish citizens, including the question of the officers of the Polish Army, has already been explained (see M. Vyshinsky's conferences with M. Kot on 14.10.41 and 2.11.41 (pp. 163 and 169) and also the promemoria of M. Bogomolov, Ambassador of the Soviet Union to the Polish Government in London." (p. 210).

"With regard to the lists of Polish officers, referred to in point three of the Embassy's Memorandum—as the Memorandum itself stated, they were compiled on the basis of doubtful and untrustworthy sources such as the memory of a small number of prisoners; in the opinion of the People's Commissariat, it cannot therefore be concluded, on the basis of such data, that the Decree of 12.8.41 has not been applied to a considerable proportion of Polish servicemen.

"The People's Commissariat rejects as entirely without foundation the Embassy's statement that over ten thousand Polish officers are still in detention, contrary, to the Amnesty Decree."

The Aide-memoire further stated that in general all "information received by the Embassy concerning Polish citizens allegedly in detention, in no way corresponds to the truth."

The final paragraph discussed the Embassy's view that the absence of news ("sign of life") from numerous Polish citizens who were previously in Soviet prisons and camps was a proof of their continued detention. The Soviet argument on this point ran as follows:—

"It is known that many Polish citizens, who were released before the issuing of the Amnesty Decree, left the U. S. S. R. for their own country. It should also be pointed out that many of the Polish citizens who were released on the basis of the amnesty Decree escaped abroad, some of them to Germany. . . . Finally, as a result of unorganised migrations from the Northern to the Southern provinces of



the U. S. S. R. in the winter of 1941, undertaken in spite of repeated warnings by the People's Commissariat, a certain proportion of Polish citizens fell ill on the way and were left behind at various railway stations. Consequently, as the Ambassador himself stated in his note of 16.3.42, some of them died on the way. All these circumstances may well mean that a certain number of Polish citizens have not given a sign of life, but this is no foundation for the conclusions reached by the Polish Embassy in the Memorandum of 19.5.42."

The Embassy was by no means convinced by the foregoing "explanations" of the Soviet authorities, suggesting that over 10,000 "missing" prisoners of war, having been released from captivity, had either "left the U. S. S. R. for their own country," or illegally escaped from the Soviet Union, or died on the way "as a result of unorganised migrations" from the North to the South, so that not one of them had succeeded in reaching either the Embassy or the Headquarters of the Polish Forces. However, as a result of the sudden deterioration in Polish-Soviet relations at that time, the Embassy was never able to reply to the Soviet Aide-memoire of July 10th, 1942.

The case of the "missing" prisoners of war was raised for the last time—before the "Katyn revelations" on 8.7.42 when Ambassador Kot accompanied by the Polish Charge d'Affaires—Sokolnicki paid a farewell visit to Vyshinsky. It was the latter who brought up the subject:—

Vyshinsky: "As to the detention of Poles in prisons or camps and the driving of them to hard labour, I must assure you, Mr. Ambassador, that I have looked into the matter and ascertained that they really are not there. I notice a tendency to regard our replies as mere formalities, but I thought the situation was actually different. But your allegation does not correspond to reality. Except for a few groups detained as Hitlerite agents, there are none. There are no officers in the Far North, nor in the near North, or anywhere else. Perhaps they are outside the U. S. S. R., perhaps some of them have died. Not long ago, for instance, the Embassy itself in one of its notes cancelled a previous request for the release of someone, on the grounds that they had found the person in Poland. Perhaps the same thing has happened with the others. All have been freed. Some were released before our war with Germany, some afterwards."

Kot: "... as for the officers, I must say that it is just from Poland that I receive the largest number of enquiries from their families, who are extremely worried about their fate because they are not there. Not one of them is there."

Sokolnicki: "The case cited by Mr. Chairman of the discovery of one of the people proves the opposite—that we know what is happening in our country and that if such a large number of missing people were there we should certainly have heard of them. If our prisoners have been liberated, then please let me have a list of those freed and the date and place of their release. The Soviet authorities made several lists of prisoners in the camps and the production of the lists cannot present any difficulties."

Vyshinsky: "Unfortunately we have no such lists".

The attitude taken by both sides remained unaltered during this discussion, just as in the first diplomatic conversation on the question of the missing prisoners on 6.10.41 (see p. 159 above). The Soviets limited themselves to stubbornly insisting that the missing prisoners were not in Soviet camps and prisons, having been released; but they refused to give any concrete information or explanations regarding the details of their release (date, place, list of released prisoners) or, as to their subsequent fate. The Polish side rejected the easily refuted Soviet contention about the alleged fate of the missing prisoners (escape to Manchuria, dispersal, death during the "unorganised migrations from North to South, etc.) and did not believe the Soviet statements concerning their release. Nine months of diplomatic conversations had in no way solved the problem of the missing prisoners.

The question of the prisoners was raised for the last time in diplomatic correspondence—before the "Katyn revelations"—in a note of the Polish Ministry of Foreign Affairs in London, dated 27.8.42, concerning the refusal of the Soviet authorities to allow further recruiting for the Polish Forces on the territory of the U. S. S. R.:

"The negative attitude of the Soviet Government towards the further development of the Polish Army is also confirmed by the fact that over 8,000 Polish officers, who were, in the spring of 1940, in the prisoner of war camps at Ostashkov, Starobielsk and Kozielsk, have still not been found, despite repeated interventions by the Polish Government and in spite of the fact that incomplete lists of those officers were handed to the President of the Council of People's Commissars by General Sikorski in December 1941 and by General Anders in March, 1942".

It is clear that in this note, too, the Polish Government in London maintained the viewpoint that the "missing" prisoners had "not been found" on the territory of the U. S. S. R. in consequence of the "negative attitude" of the Soviet authorities towards the development of the Polish Forces.

### PART THREE. AFTER THE KATYN REVELATIONS.

#### CHAPTER XV. ON THE EVE OF THE REVELATIONS.

##### 1. *Polish public opinion abroad just before the Katyn discoveries.*

Contrary to Polish hopes the year 1942 brought no clarification of the question of the missing Polish prisoners of war. They did not return after the resumption of communications with the Polar Regions and no news of them had been received. Nevertheless, Polish circles still hoped that they were still in the Far North and that if a conciliatory attitude were taken towards the Soviet Government they would be released. The Polish Government, therefore, tried to prevent this question gaining too much publicity, although Polish public opinion was anxiously concerned about it.

At the time the Autumn and Winter of 1942, as a result of the evacuation of the Polish Forces from the U. S. S. R. to the Middle East, the rumours that Polish prisoners of war were in the Northern regions of the Soviet Union, (see above) which had previously reached London from time to time, rapidly increased in number taking at the same time a far more detailed form. On 19.10.42 the Polish Minister of National Defence in London, General Kukiel, in a conversation with the Soviet Ambassador, Bogomolov, raised the question of the missing prisoners. Having these rumours in mind, he announced that before long the Polish Government would perhaps be in a position to supply the Soviet authorities with certain facts which would facilitate further search. Bogomolov, who had so far given evasive and rather negative replies, merely stating that the Polish officers were not on Soviet territory, suddenly broke off the conversation, "disturbingly helpless". This behaviour on the part of the Soviet Ambassador alarmed the Polish Minister of Defence, who wrote in his notes directly after the conversation: "It seems to me, unfortunately, that the question of the 8,000 officers must be considered hopeless and that Bogomolov knows they have perished."

Besides these rumours, others began to reach London, namely of Beria's and Merkulov's remarks about the "great mistake" made to Berling and his friends in Lubianka, (see p. 128 above). This information, and the eighteen months of waiting for the return of the missing prisoners, caused growing pessimism in Polish circles which was even reflected in the Polish press.

In the weekly "Polska Walczaca"—*Zolnierz Polski na Obozyznie* (Fighting Poland—"The Polish Soldier Abroad") No. 4 of January 30th, 1943, an article by S. W. entitled "Visit to the Soviet Union", appeared. In this article the Polish war correspondent sharing his impressions of his visit to U. S. S. R. with his readers, clearly implied that the Soviet authorities had made a "great mistake" with regard to the missing Polish prisoners, as a result of which "those people are lost for ever". The following is an extract from the article: ". . . Our elementary demands for the rescue of our people are: protection for the large number of Poles still remaining alive. The whereabouts of the 12,000—not yet recovered—prisoners of war should be disclosed to us. If we receive the reply that those people are lost for ever, then we shall demand that for that price the remaining Poles shall be properly cared for and that we shall be given every possibility of helping them. We have still hundreds of thousands of human lives to save. Rescue must be rapid—very rapid. From the mouths of several high Soviet officials the timid confession has now been uttered that a "bolshaya oshibka" ("great mistake") was made about our prisoners. A great mistake, bloody perhaps as well as great? Now we wish that this mistake will not be repeated, that the Soviet State will make amends for it as far as may be possible—by saving the rest from extermination."

So, by the early spring of 1943, Polish official circles as well as Polish public opinion, still knowing nothing definite about the fate of 12,000 prisoners of war missing in the U. S. S. R., were convinced that they had met a tragic fate.

##### 2. *The Polish "delegation" to Katyn.*

At the beginning of April, 1943, the German Propaganda Chief for the Warsaw district quite unexpectedly invited a number of Poles to a conference without announcing the subject and without giving the persons concerned a chance for

discussion beforehand. Those invited were representatives of the town (Mr. M. Kulski, the Mayor), of the Central Welfare Council (Mr. M. Machnicki, the president), of the judiciary (Mr. K. Rudnicki), of the clergy (Prelate Trzeciak), of writers and journalists (Mr. F. Goetel, Mr. Skiwski, and Mr. Teslar), of Polish womens' organisations, artisans etc.

The meeting was addressed by a delegate of the Ministry of Propaganda from Berlin. He began by describing the problems of the war against the Soviets from the point of view of official German policy, making, however, no special political allusions to the Polish nation. He then announced that mass graves of Polish victims of the communist terror had been discovered near Smolensk, and gave a general invitation to those present to visit the spot. The main emphasis of the speech was on the "bestiality" of the Bolshevik regime and on the misfortunes of the victims of the communist terror. No details were given concerning the number of victims, their identity etc. Similar conferences were held in Cracow and possibly in Lublin. As a result, on 10.4.43 a group of Poles flew to Smolensk, comprising the following people chose by the Germans:

Mr. Edmund Seyfried—representative of the Cracow Central Welfare Council.

Dr. K. Orzechowski, from the Warsaw Town Hospital.

Dr. E. Grodzki of the Polish Welfare Committee, Warsaw.

Mr. F. Goetel—writer.

Mr. J. E. Skiwski—writer.

Mr. K. Prochownik—foreman of the "Zieleniewski" factory in Cracow.

Mr. W. Kawecki—director of the German sponsored "Pol-Press" Agency in Cracow.

Mr. K. Didur—press-photographer of the "Krakauer Zeitung".

Mr. Widera—photographer and correspondent of the German sponsored newspaper "Glos Lubelski" ("Voice of Lublin").

At Smolensk the "Polish delegation" was received with exaggerated courtesy by the German military authorities and its members were treated as "representatives of the Polish people". According to the explanations given to the "delegation" immediately after its arrival, a group of Polish labourers working, at Kozie Gory by Gniezdovo, heard from the local population in October, 1942, that there were there mass graves of Polish officers. The German authorities were said not to have been informed of this until February, 1943, when trial excavations were carried out in the woods near the N. K. V. D. Rest House. One mass grave, measuring 26 by 14 metres (31 by 16 yards) and 6 metres (18 ft) in depth was then opened and a whole cemetery was plotted out nearby. At a distance of 300 and 500 metres (330 and 550 yards) respectively from the officers grave, were graves of civilians, buried there at least ten years before.

The "delegation" then went from Smolensk to the place in question and confirmed the existence of two opened pits, from which about 250 corpses had already been exhumed, including the bodies of General Smorawinski and General Bohatyrewicz, wearing Generals' uniforms and all their insignia. The other corpses were similarly in Polish uniforms, officers boots, military belts and badges. The papers and notes found on the bodies had already been removed and put into special show-cases.

After looking closely at the grave, the representative of the Central Welfare Council, with the official permission of the Germans, made the following speech in Polish: "I invite you, gentlemen, to honour in silence, with uncovered and bowed heads, those heroes, who have given their lives that Poland may still live."

Then the "delegation" was taken to a special building, where they examined the papers found on the bodies: letters, diaries, scapulars, religious medals, identification papers, visiting cards, etc., by which 47 bodies had already been identified.

In the course of conversation with the Germans, the "delegation" asked why the Poles had only now been informed of the discovery of the mass graves, when the Germans had known of their existence for the last few months. The Germans replied that it was the fault of the military commanders, who during vital front-line operations minimised the value and importance of this frightful discovery.

Although the German authorities at first published no news about the sending of a Polish "Delegation" to Katyn, the Polish Underground Movement informed London of their departure as early as 13.4.43, and subsequently reported on the statements made by the people who had been there. These reports confirmed that the graves actually contained the bodies of Polish officers, but in considerably smaller numbers than those suggested by the Germans, who gave the number of victims as about 12,000.

Attempts made by the Germans to draw from the members of the Katyn "delegation" political pronouncements for propaganda purposes were practically

fruitless. Only Kawecki, who had for a long time been collaborating with the German press, and the Cracow workman Prochownik, wrote or spoke in such a way that their words could be used as German propaganda. The other members of the "delegation" exercised greater restraint in their descriptions.

### *3. Part played by the Polish Red Cross in the exhumations.*

A few days after the first "delegation", representing, according to the Germans, the Polish community, a second "delegation" was sent to Katyn, this time of a more professional nature. Except for the Canon of Cracow, Father Stanislaw Jasinski (a trusted friend of Archbishop Sapieha) and a journalist, Marian Martens, this delegation consisted exclusively of representatives of the Polish Red Cross—administrative officials and doctors from Warsaw and Cracow.

From Cracow—Dr. A. Szebesta, Dr. T. Susz-Praglowski, Mr. S. Klaport.

From Warsaw—the Secretary-General of the Polish Red Cross, Mr. K. J. Skarzynski, Mr. L. Rojkiewicz, Mr. J. Wodzinowski, Dr. H. Bartoszewski, Mr. S. Kolodziejski, Mr. Z. Bohowski, Mr. R. Banach.

Some of the members of this delegation remained at Katyn in order to take part in the exhumation and identification of the bodies and to be present at the burials.

The Polish doctors and medical personnel, whose number was subsequently increased to twelve, owing to the tremendous amount of work, also served as witnesses before the world of the truth of the regularly and widely published reports of the numbers and identity of the exhumed bodies of Polish officers. The Germans, also needed people with a knowledge of Polish social relations and the Polish language to identify the bodies, read the documents found on them, etc. From the Polish point of view, the participation of Polish medical personnel in the work of exhumation had the advantage of ensuring first hand information about the documents found on the bodies. Copies of a certain number of those documents were subsequently sent by the Polish Underground Movement to the Polish Government in London, and helped to throw new light on the fate of the prisoners of war from the Kozielsk camp.

On 16.4.43 the Secretary General of the Polish Red Cross, Skarzynski, handed to the Executive Council of the Polish Red Cross a report on his visit to Katyn, in which he stated that:

A. At Katyn, near Smolensk, there were some partly excavated graves of Polish officers;

B. On the basis of post mortems on corpses already recovered, it could be stated that those officers had been murdered by shooting through the back of the head, which showed that the killing had undoubtedly been carried out in an expert manner;

C. The murder had not been connected with looting since the corpses were in uniform, wearing decorations and boots, and on some of the bodies had been found a considerable number of Polish coins and bank notes;

D. Judging by papers found on the corpses, the murders had taken place in March-April, 1940;

E. So far the identity of only a comparatively few of the murdered officers had been established (about 150).

The Germans requested that the Executive Council of the Polish Red Cross, now convinced of the authenticity of the Katyn discoveries by the report of its "delegates", should send representatives to Oflag<sup>1</sup> in Germany to inform the Polish officers there. To this the Executive Council sent a written reply on 19.4.43 in very restrained and almost provocative terms. Affirming that the Polish Red Cross was ready to co-operate with the German authorities within the limits laid down by international conventions, the letter requested that should the Polish Red Cross accede to this request, the part of its representatives would be purely limited to the statement of facts and that in this event the Polish Red Cross, must be allowed to resume its proper activities, which had been drastically curtailed by the occupying power. The letter demanded in particular:

a. That the activities of the Polish Red Cross be permitted by the occupying power in all territories from which the Polish army was recruited, including the Western territories officially "incorporated" into the German Reich as well as the Eastern territories not forming part of the General Government (This condition was of course not acceptable to the German authorities);

b. that prisoners of war, when released from camps, should be permitted to return to the territory of the General Government, which had been forbidden since 1941;

<sup>1</sup> Officers' prisoner of war camps.

c. that prisoners of war should not be removed from prisoner of war camps and handed over to the police for crimes supposed to have been committed by them before the war and that the few officers who were in concentration camps instead of prisoner of war camps should be immediately released.

Those demands were not complied with and the Polish Red Cross sent no "delegates" to the Oflag. Consequently the German authorities were obliged to organise a "delegation" to Katyn composed of Polish officers from German prisoner-of-war camps.

As far as is known, delegations were flown to Katyn from two camps, Oflag II-C (Woldenburg) and II-B (Neubrandenburg). On their return the "delegates" imparted their impressions to their fellow-prisoners, who had hitherto refused to believe the German radio reports, dismissing them as yet another lie of Goebels propaganda. The only effect of the verification of the facts by the "delegates" was general depression among the prisoners. According to a report of a Polish officer, who was at that time in Oflag II-C, the Katyn discoveries in no way served to diminish the anti-German feeling. In that there were no exceptions. But it affected the attitude of the prisoners towards Russia. From 1941 a large and ever growing percentage of officers had looked to Russia for help. After the return of the "Delegates" that percentage decreased rapidly. (Witness 31).

#### CHAPTER XVI. THE KATYN REVELATIONS

##### 4. German *communiqué* on the Katyn "discoveries".

At first the Katyn "discoveries" were kept strictly secret by the German authorities, the visit of the Polish "delegation" to Katyn was therefore also not disclosed. But from 13.4.43 the Berlin radio, followed by all other German-controlled radio stations in Europe, began to announce news of the discovery near Smolensk of the mass graves of "thousands of officers of the former Polish Army, interned in the U. S. S. R. in 1939 and bestially murdered by the Bolsheviks".

The contents of the first German *communiqué* were briefly as follows:

A few days before, as a result of hints (Hinweise) given by the local population, the German military authorities had discovered the mass graves of murdered Polish officers. Those graves are situated 20 km. (12 miles) west of Smolensk, not far from the Smolensk-Vitebsk road, in a clearing in the Katyn wood on the hill of Kozia Gora ("in Wald von Katyn am Kose-Gory Hugel"), 500 metres (550 yards) from the Rest House for "senior N. K. V. D. officials".

The *communiqué* described in detail only one mass tomb measuring 28 by 16 metres (31 by 18 yards) in which in 9-12 layers, were about 4,000 bodies of murdered officers. Giving no details, it spoke of a second mass tomb with 5-6,000 bodies, and of "at least" two more mass graves. The *communiqué* estimated the number of victims at "over 10,000", representing that as the minimum and suggesting that in reality there had been a far greater number of victims of Jewish-Bolshevik bestiality".

The *communiqué* further stated, on the basis of testimony supplied by local inhabitants, that the officers arrived at the nearby station of "Gniezdovo" in the "Spring of 1940". In another place, however, it mentioned "March-May 1940". It tried to establish the date of the murders, saying that spruce trees "now three years old" ("die jetzt drei jahre alt sind") were growing on the graves. It stated that the bodies were mostly bound up and in each case there were indications that the victims were murdered by a shot in the base of the skull ("durch Genickschuss").

The *communiqué* finally stated that the bodies and the uniforms were well preserved and that identification had been facilitated by papers, documents, identification papers and decorations found on the bodies of a great many of the murdered officers. But it stressed the fact that "Schmuck und Uhren" (jewelry and watches) were not found on them.

The news given in the German *communiqué* surprised and shocked public opinion, which had hitherto heard nothing of the tragedy of the Polish prisoners of war in the U. S. S. R. Nevertheless. It was treated on closer analysis with great reservation as being Goebbel's propaganda. This was inevitable in view of its familiar crudity of tone, its frequently conflicting statements and its general vagueness and inaccuracy. The immediate question that arose in everybody's mind was why the German authorities had only found the graves in the spring of 1943, when Katyn had been in their hands since 1941—this question the *communiqué* made no attempt to answer.

The *communiqué*'s obvious exaggeration of the numbers of corpses involved, also aroused distrust, which was sustained in Polish official circles by information

supplied to the Polish Government by the Polish Underground Movement, giving the number of corpses as being about 4,000.

Attempts to establish the date of the murder by giving the age of spruces planted on the graves also failed. It was pointed out in the press (see article by G. W. S. entitled "more about the Katyn graves" in the Swedish "Nu" nr 27) that spruce trees are not usually planted until they are two years old. Spruces three years old in 1943 would therefore indicate that the murder took place in April, 1942, and not in the spring of 1940. The Germans themselves found they had made a mistake, and in later reports from Katyn the information about the age of the spruce trees growing on the graves was corrected (see below).

The German information about the absence of any articles of value or watches on the bodies were also only partly true. In general, watches were not found, and this corresponded with the note in the diary found at Katyn describing the inspection carried out before leaving Gniezdovo station (see p. 65 above). But on many bodies money and articles of value were in fact found hidden in clothes or boots.

Finally, various inaccuracies aroused the suspicion of the Poles in particular. For instance, on the epaulettes of some of the uniforms were the letters "S. P." (Szkola Podchorążych—Cadet Officers' School); the communique gave the letters as "J. P.", explaining that it was the emblem "des Traditions-Regimentes Pilsudski".

##### 5. *Journalists of neutral and German satellite countries in Katyn.*

Simultaneously with the first Polish "delegation", the German authorities arranged for accredited foreign journalists from Berlin to visit Katyn. The group consisted of:

Jaederlund—correspondent of "Stockholms Tidningen", Sweden,  
 Schnetzer—correspondent of "Der Bund", Switzerland,  
 Sanchez—correspondent of "Informaciones", Spain,  
 Myklebust—correspondent of "The Norwegian Telegraph Agency",  
 Stoffels—correspondent of "De Telegraaf", Holland,  
 van der Maele—correspondent of "Nouveau Journal", Belgium,  
 Szabolcz—correspondent of "Esti Ujsag", Hungary,  
 Mikasinowitsch—correspondent of "Nowo Vreme", Serbia,

The expedition was accompanied by a representative of the press department of the Reich Chancellery name Schippert, and by a secretary of the Foreign Office, Lassler. At Katyn itself it was conducted by Captain Freudeman.

According to explanations given to the foreign journalists by Colonel von Gersdorff at Katyn, the attention of the German authorities had been drawn to the graves by two wooden crosses erected in the Katyn wood by Polish workmen employed on building roads in the district, who had themselves been informed by the local population of the execution there of many Poles. The Polish workmen had started searching on their own and having found the corpses, which they had recognised as being the bodies of Polish officers, they had buried them again and had erected two crosses to mark the place. The German military authorities had at first ignored this information—continued Colonel von Gersdorff—but, about 10 or 14 days before, superior authorities had ordered excavations to be carried out, which had revealed the secret of the mass murder of Polish officers.

So far three pits (Gruben) had been opened measuring 28 by 16 metres (31 by 18 yards) and about 5–8 metres (15–24 feet deep, containing 9–12 layers of bodies, almost exclusively of Polish officers. Among them, the bodies of a few army chaplains and of one woman had been found.

The number of bodies in the graves had been estimated at 10–12 thousand, which figures had been arrived at by multiplying the number of layers by the number of bodies in each layer.<sup>1</sup>

When the journalists arrived, 150–200 bodies had already been recovered from the graves; the speed of the work was said to have been impeded by the inadequacy of the professional personnel; consisting of Professor Buhtz of Breslau university (Director of the Institute of forensic medicine and criminology), assisted by only two soldiers of the Medical Corps and two Russian civilians. The primary concern of the Professor was to establish the time and causes of death and to identify the bodies.

It was confirmed that the bodies in the top layer had been killed in April, 1940, as on many of the dead people were found diaries and notes, as well as letters to and from Poland, the latest of which were dated March, 1940.

<sup>1</sup> According to a dispatch quoted by the "Hamburger Fremdenblatt" of 22.4.43 (No. 112) and published in the Swiss daily "Basler Togblatt", the first layer of the opened grave contained 250 bodies.



The stage of decomposition of the bodies, preserved in the sandy soil had also indicated that they had been buried for three years. The cause of death had in every case been found to be a shot right through the head from the back of the forehead or temple "in Stirn order Schläfe". The hands of a certain number of officers had been tied behind them; other bodies had had tunics thrown over their heads and had then been bound and shot. The mouths of some of the officers had been gagged, most probably to prevent them shouting when being killed. The bodies had been laid in the graves in full uniform "packed like sardines"; only caps and flasks seemed to have been scattered at random.

#### CHAPTER XVII. REACTION OF THE ALLIED NATIONS TO THE KATYN REVELATIONS

##### 6. *The Katyn revelations and public opinion of Poles outside Poland.*

As was mentioned previously (see p. 225), at the beginning of 1943, Polish circles became more and more convinced that the return of the missing prisoners could not be counted on and this conviction was expressed in the article in "Polska Walczaca" quoted above. But nevertheless the German disclosures made a tremendous impression. Grief for those who were dead was mingled with fear for those still alive. Only a small percentage of Poles deported from Poland by the Soviet authorities in the years 1939-41 succeeded in leaving the U. S. S. R. with General Anders' Army. Hundreds of thousands of Polish citizens still remained there, among them many families of Polish soldiers fighting in the West and the fate of all those still in the Soviet Union appeared tragically uncertain in the light of the Katyn revelations.

These revelations gave rise to anxiety and dismay particularly in General Anders' Army, then in the Middle East. That army was composed almost exclusively of people who had passed through Soviet prisons and camps, and whose families for the most part had remained in the U. S. S. R. The mere presence in that army of several hundred officers who were formerly prisoners in the three large Soviet camps and had returned via Giazovietz, brought the tragedy of Katyn very close.

In a wireless message sent at 7 p. m. on 15.4.43 to the Polish Minister of National Defense in London.

General Anders made the following statement on his attempts to find the missing prisoners in the U. S. S. R. and on the morale of the troops under his command after the Katyn revelations:

"From the moment of my release from prison I tried to find our soldiers from Starobielsk, Kozielsk and Ostashkov. I always received evasive replies from the Soviet authorities. The Commander-in-Chief, during his visit to Moscow, made a personal appeal to Stalin, and received the answer that they had probably escaped. For my part, during the whole time I was in the U. S. S. R., I made prodigious efforts to discover something about their fate from the Soviet authorities and from Stalin himself. I sent people in all directions to search for them . . . In private conversations some of the high Soviet officials mentioned, declared that a "rokovuya oshibka" (fateful mistake) had been made in this matter. News reached us that some of our officers had been deliberately drowned in the Arctic Ocean. But it is quite possible that those moved from Kozielsk were murdered near Smolensk. A number of the names given by the German radio are in our card index. It is a fact that not one of the 8,300 officers from the camps at Kozielsk and Starobielsk, nor of the 4,000 N. C. Os. of the military and civil police from the Ostashkov camp, have joined the army. In spite of tremendous efforts on our side we have received absolutely no news of any of them. We have long held the deep conviction that none of them are alive but that they were deliberately murdered. Despite this, the announcement of the German discoveries made a tremendous impression and caused deep dismay. I consider it necessary for the Government to intervene in this affair with the object of obtaining official explanations from the Soviets, especially as our soldiers are convinced that the rest of our people in the U. S. S. R. will also be exterminated."

Almost simultaneously with the German disclosures a message was received from the Underground Movement in Poland concerning the Polish "delegation" which was conducted by the Germans to Smolensk (see p. 229 above). This telegram left no doubt as to the genuineness of the "discovery". As the Germans had decided to "invite" Poles to Katyn, the bodies of the officers were undoubtedly there.

The piles of bodies at Katyn were also a convincing proof of the truth of statements so often repeated by representatives of the Soviet Government that no Polish prisoners were still in detention on Soviet territory. The contents of notes

and protocols of Polish-Soviet conversations on the question of missing prisoners studied once again in the light of the Katyn revelations became painfully intelligible.

Statements and facts, hitherto variously interpreted by the Poles, only now became clear, as for instance:

a) Vyshinsky's embarrassment when the question of the "missing" prisoners was taken up with him for the first time during the conversation of 6.10.41 (see p. 159-161 above);

b) his irritation during the conversation of 14.10.41 and his promise to hand over "all the people we have" emphasising that "we cannot give those who are not with us", (see p. 163 above);

c) the fact that the categorical promises made by Vyshinsky in the conversation of 2.11.41 were not fulfilled: "We have records of everyone, alive or dead. 'I have promised the details and I will produce them.'" (See p. 172 above).

d) Stalin's silence after receiving information by telephone concerning the "missing" prisoners during the conversation of 14.11.41. (see p. 180 above);

e) his improbable and very strange statement during the conversation of 3.12.41 that thousands of the "missing" prisoners had escaped to Manchuria after being released from camps. (see p. 191);

f) the strange experiences of General Anders' plenipotentiary at Chkalov and in Moscow (see Chapter XIII);

g) Stalin's words during the conversation of 18.3.42: "I do not know where they are. Why should we keep them? It may be that they were in camps in territories which have been taken by the Germans and were dispersed." (see p. 212);

h) the statement in the Soviet aide-memoire of 10.7.42 that "many, Polish citizens, who were released before the issuing of the Amnesty Decree left the U. S. S. R. for their own country." (see p. 220);

i) Vyshinsky's exceptionally frank declaration during the conversation of 8.7.42 that "... I have looked into the matter and ascertained that they really are not there. I notice a tendency to regard our replies as mere formalities, but I thought the situation was actually different. There are no officers either in the Far North, or in the Near North, or anywhere else. Perhaps they are outside the U. S. S. R. perhaps some of them have died." (see p. 221);

#### 7. Reaction of the Allies in the first days after the revelations.

a) *First Soviet communiqué*.—The first Soviet communiqué, which was broadcast by the Soviet Information Bureau on 15.4.43, broke a silence that had lasted for many hours during which Goebbels had been pouring forth a torrent of propaganda. This communiqué ran as follows:

"In the past two or three days Goebbels' slanderers have been spreading vile fabrications alleging that Soviet authorities effected a mass shooting of Polish officers in the spring of 1940 in the Smolensk area. In launching this monstrous invention the German-Fascist scoundrels did not hesitate at the most unscrupulous and base lies, in their attempts to cover up crimes which, as has now become evident, were perpetrated by themselves.

The German-Fascist reports on this subject leave no doubt as to the tragic fate of the former Polish prisoners of war who in 1941 were engaged in construction work in areas West of Smolensk region, fell into the hands of the German-Fascist hangmen in the summer of 1941, after the withdrawal of the Soviet troops from the Smolensk area.

"Beyond doubt Goebbels' slanderers are now trying by lies and calumnies to cover up the bloody crimes of the Hitlerite gangsters. In their clumsily concocted fabrication about the numerous graves which the Germans allegedly discovered near Smolensk, the Hitlerite liars mention the village of Gnezdovaya. But, like the swindlers they are, they are silent about the fact that it was near the village Gnezdovaya that the archeological excavations of the historic "Gnezdovaya burial place" were made. Past-masters of such affairs, the Hitlerites stoop to the clumsiest forgeries and misrepresentation of facts in spreading slanderous fabrications about some sort of Soviet atrocities allegedly perpetrated in the spring of 1940, and in this way try to shake off their own responsibility for the brutal crimes they have committed.

"These arrant German-Fascist murderers, whose hands are stained with the blood of hundreds of thousands of innocent victims, who methodically exterminate the population of countries they have occupied without sparing children, women

or old people, who exterminated many hundreds of thousands of Polish citizens in Poland itself, will deceive no one by their base lies and slander.

"The Hitlerite murderers will not escape a just and inevitable retribution for their bloody crimes."<sup>1</sup>

This communiqué, though couched in strong language, had one weak point which struck everybody; even those who were entirely ignorant of the case of the "missing" prisoners of war.

If—as the Soviet communiqué stated—"the German-Fascist reports on this subject leave no doubt as to the tragic fate of the former Polish prisoners of war", then their bodies must have been in the Katyn graves allegedly "discovered" by the Germans. In that case what was the point of mentioning the "archeological excavations, of the historic Gnezdovaya burial place". But, if the Katyn graves advertised by the Germans were in reality merely archeological excavations, why did the Soviet communiqué speak with such certainty of the tragic fate which befell the Polish officers at the hands of the "arrant German-Fascist murderers"?

Moreover, those people who were better informed inevitably asked themselves if the "former Polish prisoners of war, who in 1941 were engaged in construction work in areas West of Smolensk . . . fell into the hands of the German-Fascist hangmen in the summer of 1941", why did the Soviet authorities withhold this, as far as they were concerned, quite uncompromising and very relevant information throughout the 20 months of Polish-Soviet conversations, during the whole period of which they stated, untruthfully, that those prisoners had been released? To that question also the Soviet communiqué gave no answer.

b) *The Polish press in London.*—On the same day as the communiqué of the Soviet Information Bureau, i. e. on 15.4.43 the German revelations were first mentioned in very restrained terms in the Polish press in Great Britain.

The following is an extract from an article in the London "Dziennik Polski" ("Polish Daily") No. 849 of 15.4.43:

"The Germans have published news of the discovery near Smolensk of the mass graves of several thousand Polish officers, allegedly murdered by the Soviet authorities in February and March, 1940.

"This terrible accusation may be yet another lie of German propaganda, aimed at impairing Polish-Soviet relations, mobilising Europe against Russia and effacing the impression made on world opinion by the disclosure of the latest German brutalities, inflicted on the population of many Russian towns."

(The article then gave a summary of the information broadcast by the German radio, after which it concluded:)

"That is the German information. It contains many incompatibilities . . . We need not add that there is not a Pole who does not pray fervently that this terrible news taken up by German propaganda will turn out—as has so often been the case in the past—to be 'lies'."

#### 8. Referring of the Katyn affair to the International Red Cross.

a) *Communiqué of the Polish Minister of National Defence of 17.4.43.*—The first step taken by the Polish Government in London in connection with the Katyn revelations was the issuing of a communiqué by the Minister of National Defence, General Kukiel, and relayed in the afternoon programme of the Polish Radio in London on 17.4.43. After giving a summary of the story of the missing Polish officers in the U. S. S. R. and of the Polish Government's efforts to extract from the Soviet authorities information concerning their fate, General Kukiel's communiqué stated that—"neither the Polish Government, nor the Polish Ambassador in Kuybyshev, has ever received an answer as to the whereabouts of the missing officers and other prisoners of war moved from . . . the three camps."

The communiqué concluded with the following paragraph:

"We have become accustomed to the lies of German propaganda and we understand the purpose behind its latest revelations. In view, however, of the abundant and detailed German information concerning the discovery of the bodies of many thousands of Polish officers near Smolensk, and the categorical statement that they were murdered by the Soviet authorities in the spring of 1940, the necessity has arisen that the mass graves discovered should be investigated and the facts alleged verified by a competent international body such as the International Red Cross.

"The Polish Government has therefore approached this institution with a view to their sending a delegation to the place where the massacre of the Polish prisoners of war is said to have taken place."

<sup>1</sup> "Soviet War News" No. 541 of 17.4.43.

The announcement of the Polish Government's intention to request the International Red Cross to investigate the question of the massacre of prisoners of war was completely legal and fully justified step. "The only institution entitled, under International Law, to investigate on enemy territory, is the International Red Cross. It was only natural to approach this institution. A similar investigation was requested by Great Britain in regard to Shanghai and Hong-Kong." (H. W. Henderson—"The . . . Polish Conspiracy." Glasgow 1944.

b) *Statement of the Polish Cabinet of 17.4.43.*—At a meeting of the Polish Cabinet in London on 17.4.43, after the Ministers had "acquainted themselves with all information concerning the Polish Officers whose bodies have recently been discovered near Smolensk and with the reports from Poland on this matter"<sup>1</sup> and after the question had been widely discussed, the following decisions were taken:—

1) to declare that "there is not one Pole who has not been deeply shocked by the news now given the widest publicity by the Germans of the discovery of the bodies of the Polish Officers missing in the U. S. S. R. in a common grave near Smolensk and of a mass execution of which they were victims;"

2) to accept the decision to approach the International Red Cross with the request that they "send a delegation to investigate the true state of affairs on the spot. It is to be desired that the findings of this protective institution, which is to be entrusted with the task of clarifying the matter and of establishing responsibility, should be issued without delay."

3) to emphasise the anti-German attitude of the Polish Government and Nation by issuing a special declaration: "At the same time, however, the Polish Government, on behalf of the Polish Nation, denies to the Germans any right to base on a crime, they ascribe to others, arguments in their own defence. The profoundly hypocritical indignation of German propaganda will not succeed in concealing from the world the many cruel and reiterated crimes still being perpetrated against the Polish people.

"The Polish Government recalls such facts as:

"the removal of Polish officers from prisoner of war camps in the Reich and subsequent shooting of them for political offences alleged to have been committed before the war;

"mass arrests of officers of the reserve subsequently deported to concentration camps to die a slow death. From Cracow and the neighbouring district alone 6,000 were deported in June, 1942;

"the compulsory enlistment in the Wehrmacht of Polish prisoners of war from territories illegally incorporated in the Reich;

"the forcible conscription of about 200,000 Poles from the same territories and the execution of the families of those who managed to escape;

"the massacre of a million and a half people by executions and in concentration camps;

"the recent imprisonment of 80,000 people of military age, officers and men and their torture and murder in the camps of Maidanek and Tremblinka."

"It is not to enable Germans to make impudent claims and pose as the defenders of Christianity and European civilisation that Poland is making immense sacrifices fighting and enduring sufferings. The blood of Polish soldiers and Polish citizens, wherever it was shed, cries of atonement before the conscience of the free peoples of the world. The Polish Government condemn all the crimes committed against Polish citizens and refuse the right of making political capital of such sacrifices to all who are themselves guilty of such crimes."

4) to approach the Soviet Government once again by handing them a special note requesting detailed information concerning the fate which befell the "missing" prisoners of war after their removal from the three large camps.

c) *Polish note of 20.4.43.*—This approach was made in a note, addressed to the Soviet Ambassador by the Polish Government in London, which was for technical reasons not handed to the Ambassador until Tuesday 20.4.43, although the decision to send it was taken on Saturday 17.4.43. In it the Polish Foreign Minister, after quoting the report of the German military authorities published by "a foreign telegraph agency", concerning the discovery of a mass grave containing the bodies of Polish officers allegedly killed in 1940, stated that:

"This report, although emanating from enemy sources, has produced profound anxiety in Polish and world public opinion. In a public statement on 17.4.43, the Polish Government categorically condemned Germany's attempt to exploit

<sup>1</sup> It should be emphasised that after receiving a report from their Secretary General, Mr. Skarzynski, on his visit to Katyn, the Polish Red Cross in Poland independently approached the International Red Cross with a request for intervention. (See p. 230 above).

the tragedy of Polish prisoners of war in the U. S. S. R. for her own political ends. But more than ever the Polish Government unalterably maintains its attitude that the truth about this case so cynically exploited by Hitlerite propaganda, must be fully elucidated."

After recalling the fact that the question of the missing prisoners of war had been raised many times in conversations and correspondence with the Soviet authorities, the Polish Foreign Minister regretted

"The necessity of calling your attention, Mr. Ambassador, to the fact that the Polish Government in spite of reiterated requests has never received either a list of prisoners, or definite information as to the whereabouts of the missing officers and of other prisoners, deported from the three camps mentioned above. Official, verbal and written statements of the representatives of the U. S. S. R. have been confined to mere assurances that in accordance with a Decree of the Presidium of the Supreme Council of the U. S. S. R. dated August 12th, 1941, the Amnesty had general and universal character as it included both military and civilian prisoners, and that the Government of the U. S. S. R. had released all the Polish officers from prisoner of war camps.

"I should like to emphasize", continued the Polish note, "that the Polish Government, as can be seen from their many representations quoted above, entirely independently of recent German revelations, has never regarded the question of the missing officers as closed. If however, as shown by the communiqué of the Soviet Information Bureau of 15.4.43, the Government of the U. S. S. R. would seem to be in possession of more ample information on this matter than was communicated to the representatives of the Polish Government some time ago. I beg once more to request you, Mr. Ambassador, to communicate to the Polish Government detailed and precise information as to the fate of the prisoners of war and civilians previously detained in the camps at Kozielsk, Starobielsk and Ostashkob.

"Public opinion in Poland and throughout the world has rightly been so deeply shocked that only irrefutable facts can outweigh the numerous and detailed German statements concerning the discovery of the bodies of many thousands of Polish officers murdered near Smolensk in the spring of 1940."

No reply to this note was received from the Soviets.

d) *Attitude of the International Red Cross.*—At 4.30 p. m. on 17.4.43, in accordance with the instructions of the Polish Government in London, the deputy of the Polish Red Cross Delegate in Switzerland, M. Radziwill, handed a note from the Polish Government to M. Rueger, a representative of the International Red Cross, requesting the International Red Cross to investigate the massacre of Polish prisoners of war at Katyn by means of a delegation of neutral representatives. It turned out that a similar proposal had been submitted by a German representative less than an hour before.

This was not a mere coincidence. The Polish Government in London had already decided on 15.4.43 in principle to approach the International Red Cross in connection with the Katyn revelations. This decision was reported by the "Daily Telegraph" diplomatic correspondent on 16.4.43. The Polish Government's decision was also clearly stated in the communiqué issued by the Polish Minister of National Defence, published by Reuter on the evening of 16.4.43 and broadcast by the Polish radio in London at noon of 17.4.43. Obviously the Germans, on learning from Reuter and the Polish Radio of the intention of the Polish Government, decided to take similar action, considering that inspection of the graves and bodies by a neutral international institution would in no way compromise them.

In view of the fact that similar proposals had been put forward by two parties, between which a state of war existed—as required by the rules laid down by the International Red Cross at the beginning of the second World War in respect of participation in international investigations—the International Red Cross representative told M. Radziwill that the proposals would most probably be considered by the Executive Council of the International Red Cross and announced that a meeting of a special commission of the International Red Cross would be held on 20.4.43 to appoint a neutral delegation.

This meeting, however, did not take place, and the attitude of the International Red Cross changed as a result of Russian opposition.

On 20.4.43 the International Red Cross sent a written acknowledgement of the Polish note, enclosing a short memorandum. This stated that:—

1) the Polish proposal had been studied with the greatest care and that decisions as to the further course of action to be taken would be communicated as soon as possible;

2) International Red Cross was already prepared to supply families with information concerning the identification of officers as this information became available;

3) pointing out that the spirit of the memorandum of 12.9.39 did not permit it to consider sending experts to take part in the technical procedure of identification except with the agreement of *all* interested parties.

The whole question was even more clearly set out in a letter of the President of the International Red Cross. Professor Max Huber, addressed to the Polish Foreign Minister and handed to M. Radziwill on 22.4.43.

After courteous thanks "for the new proof of esteem accorded us by the Polish Government in approaching our institution", the letter stated that the International Red Cross was prepared to appoint neutral experts on condition that all interested parties requested that this should be done and that agreement existed between the appointed Committee and the parties in respect of the "modalités" of the proposed mandate.

It was emphasised that "these conditions are in accordance with the principles governing this question enunciated in the memorandum directed to the belligerent states on 12.9.39 and published in the 'Red Cross International Review' of September, 1939, concerning the possibility of the Committee taking part in an enquiry." The letter then made "a request to the Polish Government to inform us what steps will be taken to obtain the agreement of the Soviet Government or to make suggestions in this respect." In conclusion the letter stated that "in anticipation of the possibility that agreement is reached between the interested parties, we are already endeavouring to find neutral persons who possess the necessary qualifications."

According to private information supplied to M. Radziwill, the International Red Cross intended to send to Katyn an investigatory commission composed of Swedish, Portuguese and Swiss experts, under the leadership of a Swiss. But, as was clear from the foregoing letter, everything depended on the agreement of Russia. The International Red Cross therefore suggested that the Polish Government should approach the U. S. S. R. either directly or through the medium of the Anglo-Saxon Allies.

A similar letter dated 22.4.43, was sent by the International Red Cross to the German authorities, suggesting that they endeavour to obtain the consent of the Soviet Government to an investigatory commission through the medium of the "puissance protectrice".

In view of the wide interest aroused throughout the world by the Katyn affair, the International Red Cross published the following communiqué on 23.4.43:

"The German Red Cross and the Polish Government in London have approached the International Red Cross with a request for its participation in the identification of bodies which, according to German reports, have been discovered near Smolensk.

"In both cases the International Red Cross replied that in principle it is prepared to afford assistance by selecting neutral experts, on condition that similar appeals are received from all parties interested in this question. This is in accordance with the memorandum sent by the International Red Cross in December, 1939, to all belligerent nations, defining the principles on the basis of which the International Red Cross may participate in this kind of investigation."

#### CHAPTER XVIII. U. S. S. R.'S REACTION TO APPEALS TO THE INTERNATIONAL RED CROSS.

##### 3. U. S. S. R.'s reaction to the communiqué of the Polish Minister of National Defence.

The first communiqué of the Soviet Information Bureau on 15.4.43 (see p. 247) was followed by a second published on 17.4.43.

This communiqué transmitted by Reuter stated that the German accusations were wholly improbable and that the hand of the Gestapo was clearly to be seen in them. The bodies of the murdered people would have had to have been completely mummified in order to be recognizable after several years. Similarly the documents found of the bodies would have had to have been chemically treated to be decipherable. But the Germans had mentioned nothing of that. The whole affair was explained, according to the Soviet communiqué, by the fact that when the Soviet Army withdrew from the region of Smolensk, a certain number of former Polish prisoners had fallen into the hands of the Hitlerites. Some of them had been murdered immediately, the remainder had been kept alive for a special purpose. The latter had been murdered by the Gestapo quite recently, which explained why their bodies had not decomposed. The personal documents allegedly found on the bodies had been taken, according to the Soviet communiqué, from the Gestapo archives, and that explained why there were so easy to read.



The Hitlerites, concluded the Soviet communiqué, who had destroyed the whole of the Polish intelligentsia, were now trying to play the role of defenders of Poland, and by hurling calumnies at the Soviet Union they intended to make the world forget the crimes perpetrated by themselves.

The press devoted relatively little attention to this Soviet communiqué, it was completely eclipsed by a sensational editorial published in "Pravda" on 19.4.43 entitled "Hitler's Polish Collaborators."

The following are extracts from that article, which was the Soviet reply to the communiqué issued by the Polish Minister of National Defence on 17.4.43:

"Slander spreads rapidly. Before the ink has dried on the pens of the German-Fascist scribblers, the vile inventions of Goebbels and Co. springing from the alleged mass shooting of Polish officers by the Soviet authorities in 1940, are taken up not only by faithful Hitlerite lackeys, but, Oh wonder, by General Sikorski's ministerial circles."

"One would think that the Polish Ministry was well aware of the vile reputation enjoyed by German propaganda, which long ago beat all records in prodigious monstrous, provocative lies.

"Nevertheless, contrary to common sense, the Polish Ministry has found nothing better to do than to support in its communiqué the vile provocation of the Hitlerites, and approach the International Red Cross with a request for an 'investigation' of something which never happened, or, strictly speaking, of that which has been done by the Berlin torture specialists and thereafter villainously attributed to the Soviet authorities. The Polish leaders have in an inexcusable manner fallen prey to the wily provocations of Goebbels and thus in reality are supporting the villainous tricks and slanderous inventions of the executioners of the Polish nation.

"After this it is hardly surprising that Hitler also has approached the International Red Cross with a proposal for an 'investigation' of the scenery prepared by the hands of his masters of the science of crime. Thus the ways of the German provocators and of their Polish assistants met."

The article then denied accusations made by the Germans in 1941 that during the Soviet Army's withdrawal from Lwow mass butcheries had been carried out there, stating that Soviet witnesses had testified that the Lwow murders had not been committed by the withdrawing Soviet army, but by the advancing Germans. "Pravda" continued:

"The same base Hitlerite provocation has taken place this time too. As had now become perfectly clear the Germans seized the former Polish prisoners of war who were in 1941 engaged in construction work in the regions West of Smolensk and who, together with many Soviet inhabitants of the province of Smolensk, fell into the hands of the German-Fascist executioners in the summer of 1941 after the withdrawal of the Soviet armies from the region of Smolensk.

"The Germans bestially killed the former Polish prisoners of war and many Soviet people. How they wish to obliterate all traces of their crimes and, in the hope that they will find credulous people to believe them, are attempting to cover up their monstrous crimes with a new series of vile insinuations. The Hitlerite sadists, with astonishing knowledge of the affair, describe the details and particulars of the murder of Polish officers. But the more of these 'details' they give—even to such particulars as visiting cards and identification papers, which they themselves had the foresight to put into the pockets of the bestially tortured officers—the more obvious does it become that the Hitlerite executioners, who graduated in Himmler's school of torture, are describing their own rich experiences . . ."

The article conjectured that the aim of "the base devices of the Hitlerite torturers" was to "obliterate the traces of their own monstrous crimes, to wipe out their own bloody murders, for which they will have to take a heavy responsibility. Their bestial fear of the inevitable atonement for their bloody crimes causes these licensed torturers of the Slavonic nations, and of other freedom loving nations, to discover new villainous methods of carrying out further provocations in their search for salvation. Feeling the tremendous anger of the whole of progressive mankind against the massacre of peaceful and defenseless populations, particularly of the Jews, the Hitlerites try with all their strength to incite credulous and naive people against the Jews."

"Pravda" went on to state that the "Jewish commissars" named by the Germans as the executioners of Katyn were never in the Smolensk section of the G. P. U. "they were not, nor never had been in the N. K. V. D. organization" and that "it is not difficult for experienced masters of provocation to invent a few names of nonexistent people.

"In the light of these facts", continued "Pravda", "the Polish Minister of National Defense's request to the International Red Cross cannot be considered as

anything but direct and obvious help to the Hitlerite provocators in their task of fabricating base falsehoods. In all healthy minded people, particularly in those who themselves experience the nightmare of the Hitlerite tyranny, falsehood of the kind can arouse only disgust."

From this last assumption "Pravda" concluded, in the name of the Polish nation that: "it (the Polish nation) rejects the Hitlerite slander against its brother, the Soviet nation, which has shown to the world a miracle of heroism, courage and nobility. Those Poles who willingly take up and support Hitlerite falsehood, and are ready to co-operate with the Hitlerite executioners of the Polish nation, will go down to history as the helpmates of Cannibal Hitler. The Polish nation turns away from them, as from people who are giving aid to the sworn enemy of Poland, Hitler."

This article in "Pravda", by its form no less than by its contents, caused a great international sensation which was reflected in the press of the whole world. The American "New York Times" published a cable from Moscow under the headlines: "'Pravda' says Poles have been cheated by Hitlerites—Sikorski regime accused of helping Hitlerite torturers by repeating accusations about massacre." The New York Times foresaw from the article in "Pravda" that "this affair has led us to a critical turn in Polish Soviet relations, whose course has been so stormy since the beginning of the war."

On the following day, 20.4.43, the official "Izviestia" reprinted the "Pravda" article, as an editorial, while "TASS", the official Soviet news agency, published the following communique:

"On the basis of information received, TASS is able to state that the leading article 'Hitlers Polish Collaborators', which appeared in 'Pravda' on 19.4.43 as a result of the well known provocative communique of the Polish Minister of National Defence, completely corresponds with the attitude taken in Soviet leading circles towards this affair. The declaration issued by M. Sikorski's Government on the same subject on 18th April does not improve the matter, but makes it worse since it is in line with the aforementioned provocative communique of the Polish Ministry of National Defence and thereby helps the German occupiers to cover up their crimes against the Russian and Polish nations. The fact that the anti-Soviet campaign started simultaneously in the German and Polish press and follows one and the same plan, that astonishing fact permits the assumption that this anti-Soviet campaign is carried out on the basis of a previous understanding between the German occupiers and the pro-Hitler elements in M. Sikorski's ministerial circles. The declaration of the Polish Government proves that the pro-Hitler elements have a strong influence in the Polish Government and that they are taking fresh steps to bring about a deterioration in the relations between Poland and the U. S. S. R."

When the "Katyn revelations" were made public Anglo-Saxon opinion completely ignorant of the affair of the "missing" Polish prisoners of war, was inclined to consider them as one more piece of lying Goebbels' propaganda.

That 10,000 defenceless prisoners of war should have been murdered by a non-belligerent state seemed too horrible to fall within the bounds of possibility.

The thesis enunciated in "Pravda's" sensational article was no less improbable. Poland, known throughout the world as a "country without a 'Quisling'", was accused of having a Government dominated by pro-Hitler elements which . . . were in direct contact with Goebbels, coming to agreement with him as to details "or receiving directions from him" for a joint campaign of propaganda directed against one of the big Allies.

This thesis was nevertheless fully accepted by the Soviet Government, which treated it not only as an argument of propaganda for the masses, but as a proved fact on which to base drastic action.

#### 10. U. S. S. R. severs diplomatic relations with Polish Government.

In the note of 17.9.39 the Soviet Government put forward the thesis that Poland had ceased to exist as an independent, sovereign state to which the law of nations applied, and that in consequence all treaties concluded between the U. S. S. R. and Poland were no longer binding.

That thesis was subsequently repeated in the German-Soviet Agreement signed by Ribbentrop and Molotov in Moscow on 28.9.39, defining the boundary between the "spheres of interest" of the two aggressor states on Polish territory. From this time this thesis had never been completely abandoned by the Soviet Union.

Even after Hitler's attack on Russia, at the time of the Anglo-Soviet negotiations in London, the representative of the Soviet Government proposed to form

a Polish "National Committee" in Moscow (see p. 139), hoping thereby to avoid giving formal recognition to the Polish Government.

The military situation of the Soviet Union in the first stage of the war compelled the Soviet Government to abandon, under strong diplomatic pressure from the West, this idea of a "Committee", and to conclude a formal agreement with the Polish Government. But, as soon as the situation changed, the Soviet Government reverted more and more openly to its former attitude and to the plans put forward in London in June, 1941, for the formation of a "Committee." The stages of this development, which began with the first Soviet military successes were as follows:—

A) In December, 1941, when the German offensive was held, the Soviet Government at the time of General Sikorski's visit to the U. S. S. R., in an official note, refused from then on to recognise as Polish citizens persons belonging to the "Polish national minorities"—Jews, White Russians, Ukrainians etc.—and simultaneously attempted to organise in Saratoff a group of Polish communists to form the nucleus of a Red Polish Committee.

B) In March, 1942, the Soviet Government curtailed the numbers of the Polish Army in the U. S. S. R. on the pretext that the Western Allies had not supplied the agreed quantities of foodstuffs. This necessitated a partial evacuation of the Polish Army from the U. S. S. R.

C) In May, 1942, "New Horizon", a periodical published in Polish, which had been suspended since the July 1941 Pact, was revived in Kuybyshev. This publication, as the organ of the Union of Soviet Writers of the U. S. S. R., had earlier on appealed to "the people of the valorous Polish nation" to take their place in the ranks of the Red Army and to join "the fight for the integrity of our (Soviet) frontiers" (No. 5/6, 1941, p. 6-7).

D) In May, 1942, the Soviet Government, in a note dated 14.5.42 prohibited further recruiting for the Polish Army in the U. S. S. R.

E) At the end of June, 1942, the Soviet Government approached the British Embassy, with a request for the complete evacuation of the Polish Army from the U. S. S. R. After this had been carried out, unscrupulous propaganda was spread to the effect that the Polish Army in the U. S. S. R. did not wish to fight the Germans.

F) From July, 1942, members of the Polish Embassy were being arrested under the charge of "espionage activities hostile to the U. S. S. R." and the whole organisation for bringing relief to the Polish community in the U. S. S. R. was liquidated. Simultaneously all stores of food and equipment as well as all welfare institutions were placed under Soviet administration.

After the turn of the tide at Stalingrad in the winter of 1942/3 the tempo of Soviet activities leading to a resumption of the policy of the formation of a Polish "Red Committee" increased.

G) In January, 1943, the Soviet Government unilaterally proclaimed as Soviet citizens all persons who on 1-2.11.39 were on territories occupied by the Red Army, which meant in practice nearly 100% of the total Polish population deported to the U. S. S. R.

H) In February, 1943, the formation of voluntary Polish detachments within the Red Army was mooted.

I) In March, 1943, the "Union of Polish Patriots" was formed in Moscow under the leadership of Wanda Wasilewska, a Soviet citizen, member of the Supreme Council of the U. S. S. R. and wife of a Vice-Commissar for Foreign Affairs. The publication of the periodical "Free Poland" was also commenced. The Union of Polish Patriots was obviously the nucleus of the "Red National Committee" and the basis for the future organisation of the so-called "Lublin Committee".

J) In March, 1943, Commissar Molotov openly warned representatives of the Polish Government in the U. S. S. R. that "no good will come" of their insistence on the existence of the pre-war Polish state with frontiers as defined by the Treaty of Riga.

Consequently, 20 months after the conclusion of the Polish-Soviet Agreement in 1941 nothing of it remained except the formal existence of diplomatic relations. The decision to sever these relations, announced in Stalin's letter of 23rd April, 1942, was therefore the direct outcome of the previous course of events. The Katyn affair, although embarrassing for the Soviets, made a convenient pretext for taking this step.

On the night of Easter Sunday, 25th April to Monday, 26th April, 1943, at 12.15 a. m., 24 hours after General Sikorski had refused to announce that the whole Katyn affair was only a trick of German propaganda, the Polish Amba-

sador in the U. S. S. R. was summoned to the Commissariat for Foreign Affairs, where Molotov attempted to hand him a note, which he had previously read aloud. The contents of the note were as follows:

Moscow, April 26. 1943.

'Mr. Ambassador,

"On behalf of the Government of the Union of Soviet Socialist Republics, I have the honour to notify the Polish Government of the following:

"The Soviet Government consider the recent behaviour of the Polish Government with regard to the U. S. S. R. as entirely abnormal, and violating all regulations and standards of relations between two Allied States. The slanderous campaign hostile to the Soviet Union launched by the German Fascists in connection with the murder of the Polish officers, which they themselves committed in the Smolensk area on territory occupied by German troops, was at once taken up by the Polish Government and is being fanned in every way by the Polish official press.

"Far from offering a rebuff to the vile Fascist slander of the U. S. S. R., the Polish Government did not even find it necessary to address to the Soviet Government any inquiry or request for an explanation on this subject.

"Having committed a monstrous crime against the Polish officers, the Hitlerite authorities are now staging a farcical investigation, and for this they have made use of certain Polish pro-Fascist elements which they themselves selected in occupied Poland where everything is under Hitler's heel, and where no honest Pole can openly have his say.

"For the 'investigation', both the Polish Government and the Hitlerite Government invited the International Red Cross, which is compelled, in conditions of a terroristic regime, with its gallows and mass extermination of the peaceful population, to take part in this investigation farce staged by Hitler. Clearly such an 'investigation', conducted behind the back of the Soviet Government, cannot evoke the confidence of people possessing any degree of honesty.

"The fact that the hostile campaign against the Soviet Union commenced simultaneously in the German and Polish press, and was conducted along the same lines, leaves no doubt as to the existence of contact and accord in carrying out this hostile campaign between the enemy of the Allies—Hitler—and the Polish Government.

"While the peoples of the Soviet Union, bleeding profusely in a hard struggle against Hitlerite Germany, are straining every effort for the defeat of the common enemy of the Russian and Polish peoples, and of all freedom-loving democratic countries, the Polish Government, to please Hitler's tyranny, has dealt a treacherous blow to the Soviet Union.

"The Soviet Government is aware that this hostile campaign against the Soviet Union is being undertaken by the Polish Government in order to exert pressure upon the Soviet Government, by making use of the slanderous Hitlerite fake for the purpose of wresting from it territorial concessions at the expense of the interests of the Soviet Ukraine, Soviet Byelorussia and Soviet Lithuania.

"All these circumstances compel the Soviet Government to recognise that the present Government of Poland, having slid on the path of accord with Hitler's Government, has actually discontinued allied relations with the U. S. S. R., and has adopted a hostile attitude towards the Soviet Union.

"On the strength of the above, the Soviet Government has decided to sever relations with the Polish Government.

Molotov."

The Ambassador declined to accept the note and "most emphatically refused to be a party to the motives and conditions set forth" in it, remarking that it attributed to the Polish Government "in an inadmissible form . . . conduct "and intentions entirely inconsistent with the facts."

Apart from evading the basic question of the murder of Polish officers, the Soviet note contained the following untrue statements:—

a) That the "Katyn campaign" was "at once taken up by the Polish Government and is being fanned in every way by the Polish official press."

The first mention of the Katyn discovery appeared in the Polish Government press in London on the same day as the first Soviet communique, namely on 15.4.43, and was couched in very cautious and moderate terms. (see above p. 249).

b) That the Polish Government "did not even find it necessary to address to the Soviet Government any inquiry or request for an explanation on this subject".

PART TWO of these notes is devoted to the history of the Polish Government's

attempts over a period of nearly two years to extract replies and explanations from the Soviet Government concerning the missing prisoners. In addition, the Polish note of 20.4.43, after the "Katyn revelations", again addressed the same question to the Soviet Government and again asked for an explanation.

c) That in staging "the farcical investigation" the Hitlerite authorities made use of Polish "pro-Fascist elements" selected by themselves. It has already been mentioned that the representatives of the Central Welfare Council, the members of the Town Council nominated by the occupation authorities and the Polish Red Cross exercised very great restraint, confining themselves almost exclusively to informing the Polish community of the facts as seen by them (see p. 226-229).

d) That the Polish Government and the Hitlerite Government involved in the "investigation" (the word being put in inverted commas in the note) the International Red Cross "which is compelled, in conditions of a terroristic regime, with its gallows and mass extermination of the peaceful population, to take part in this investigation farce staged by Hitler". The International Red Cross was not involved in the "investigation" and took no part in the Katyn affair; its representatives were not compelled to go to territories under the rule of a terroristic regime.

e) That the response of the German and Polish press commenced simultaneously and was conducted along the same lines. The conclusion that "it leaves no doubt as to the existence of contact and accord . . . between the enemy of the Allies—Hitler—and the Polish Government" was therefore a calumny.

f) That the Polish Government's persistent efforts over a period of nearly two years to elucidate the fate of thousands of Polish officers "missing" in the U. S. S. R. constituted a "treacherous blow to the Soviet Union", executed in order to please Hitler's tyranny. This completely unfounded Soviet statement was not only untrue but also slanderous.

g) That this campaign, allegedly hostile to the U. S. S. R. was undertaken by the Polish Government "in order to exert pressure upon the Soviet Government, by making use of the slanderous Hitlerite fake for the purpose of wresting from it territorial concessions at the expense of the interests of the Soviet Ukraine, Soviet Byelorussia and Soviet Lithuania". The Polish Government had never conceived the idea of and had absolutely no desire for the smallest territorial concessions from its Eastern and Northern neighbours whereas the Soviet Government had exerted very heavy pressure on the Polish Government in an effort to extort the cessation to the Soviets of the Eastern half of the Polish state.

h) Finally, that the Polish Government "having slid along the path of accord with Hitler's Government, has actually discontinued allied relations with the U. S. S. R. and has adopted a hostile attitude towards the Soviet Union." The Polish Government's main desire was to maintain normal allied relations with the U. S. S. R. and this has been made clear in many official statements.

All these false statements were repeated shortly afterwards in an article entitled "The U. S. S. R.'s Answer to Hitler's Polish Assistants", which appeared in "Izvestia" on 27.4.43. The following are extracts from that article:

"For two weeks the German-Fascist press and radio have been raging, disseminating monstrous calumnies against the Soviet Union, striving by all means and methods to cover up the new crime committed by the Hitlerite against the Polish nation, attempting to shift from themselves the responsibility for their crimes. For two weeks the Hitlerite slanderers have exhausted themselves in raging incitement against the Soviet Union, describing with methodical sadism the 'Bolshevik bestiality' devised by themselves. They have not recoiled before direct manipulation of facts, before obvious falsity and knavery, relying on over-credulous people and on those who are easily misguided by the vast accumulation of cheap lies, calumnies and provocations disseminated by the Hitlerites."

After this characterisation of the "Katyn campaign" and after recalling the German brutalities and murders in Poland, "Izvestia" insinuated that the Polish Government had immediately taken up the Hitlerite slander and had instructed its official press to support the campaign of provocation. The Polish Government, continued the article: "declaring hypocritically in its official communiqué that it is accustomed to the lies of German propaganda and understands the purpose of its 'revelations', in reality follows the line of supporting those 'revelations' and, as soon as the German-Fascist liars have vomited their shameful lies, the Polish Government joins the slanderous Fascist campaign. The Polish Government . . . has acted behind the back of the Soviet Government. The Polish Government pushed the Ministry of National Defense on to the scene and on 16.4.43, that is on the third day after the Germans first published their inventions about Polish officers, that Ministry published a communiqué conforming in

the spirit of the information of the Hitlerites. On April 17th the Polish Government made a similar declaration, thus setting in full motion the slanderous campaign hostile to the Soviet Union".

After recalling that the Hitlerite authorities had involved "Polish pro-Fascists from occupied Poland" in the "farcical investigation, unexampled in impudence and falsity", and that they had attempted to give the "investigation" a more serious appearance by disguising it under the authority of the International Red Cross, "Izvestia" stated that:

"by its concord with the Hitlerite Government in these matters, the Polish Government has proved the existence of a certain understanding between the Polish and German Fascists Governments."

After describing the situation in Poland under the rule of the German occupiers, "Izvestia" stated further that: "similarly perfidious behaviour of the Polish Government can be explained. For a long time the official Polish press has been openly stating the claims of Polish imperialist circles to the territories of the Soviet Ukraine, Soviet Byelorussia and Soviet Lithuania. The Polish Government's aggressive lust has lead it to agreement with the Hitlerite Government, which is tearing apart the Polish nation.

"Here are the roots of the hostile and slanderous campaign against the Soviet Union which was launched simultaneously by the Polish Government and Hitler.

"The Polish Government took the treacherous path of understanding with Hitler—foe of the Polish and Russian peoples, foe of all peace loving peoples".

"Izvestia" went on to express no doubt that the "Polish people fighting for their freedom and independence will condemn the faith-breaking behaviour of the Sikorski Government which has struck a treacherous blow to the common cause of the fight against Hitler, the executioner of peoples".

In conclusion "Izvestia" seemed to underline rather significantly the strength of the military power of the Soviet Union which, it maintained, could be sure not only of the "rightness of its cause but also of the strength of its forces". It openly stated that the decision of the Soviet Government signified that the "interests of the Soviet Union and the immunity of the holy rights of its peoples are under powerful and vigilant protection".

#### CHAPTER XIX. AFTER THE SEVERING OF POLISH-SOVIET RELATIONS.

##### 11. *Effects and purpose of the severing of Polish-Soviet relations.*

Moscow radio's communiqué announcing the breaking off of diplomatic relations with Poland by the Soviets surprised public opinion in the West, where the possibility of such drastic action had not been envisaged.

This action on the part of the Soviet Government shifted the Katyn affair from a moral to a political plane. Up to this time the history of the many thousand missing officer P. O. W.'s and the finding of their corpses in the Katyn graves had been one of human tragedy. From this moment it became, an incident in the development of inter-allied political relations.

The breach which resulted from the Soviet reaction to the Katyn revelations was the aspect of the affair seized upon by the Anglo-Saxon press which was chiefly concerned lest this breach should grow and lead to a definite split in the Allied ranks.

The fear that the U. S. S. R. would conclude a separate peace with Germany, never wholly extinguished in the West, was naturally revived.<sup>1</sup> Consequently the Anglo-Saxon press made great efforts to calm the atmosphere, appealing to both sides, not to fall into a "Goebbels trap", and urging upon them restraint and mutual concessions. As to the merits of the Katyn affair itself, most of the press refrained from passing judgment with the exception of a few of the more pro-Soviet papers, lead by the "Daily Worker", which accepted the Soviet thesis without reserve and announced the severing of Polish-Soviet relations as having been the "result of catching the Polish Government in London red-handed in conspiracy with the Nazis".

Therefore, while the British press in general took an optimistic line, presuming the possibility of the renewal in the near future of the temporarily "severed" Polish-Soviet relations, the "Daily Worker" (notably in the issue of 28.4.43) derided this attitude as naive and expressed its assurance that there could not be any resumption of diplomatic relations with the "guilty Polish Government".

The real political purpose of the Soviet accusation that the Polish Government was "collaborating with Hitler" was two-fold:

<sup>1</sup>As one of many examples, Raymond Clapper in a dispatch in "New York World's Telegram" expressed the fear that Russia was making preparations for a separate peace.



1. if this could be proved the Polish Government's appeal to the Int. Red Cross would no longer give rise to the widely expressed doubts as to whether the German accusations were in fact of a wholly "slandorous and fantastic character", as the Soviets insisted;

2. this would completely disqualify the "London Government" from being legally entitled to champion the "Polish cause", thus leaving the field clear for the long planned, Soviet sponsored "National Committee" which was after its formation to represent a "New"—pro-Soviet Poland.

This unproveable and fantastic accusation was therefore lodged by the Soviet Government in deadly earnest, notwithstanding the firmly protesting attitude of the Anglo-Saxon press.<sup>1</sup>

The thesis that the Polish Government was guilty of collaboration with Hitler was most fully elaborated by papers published in Polish in the Soviet Union under the aegis of the "Union of Polish Patriots", which had been formed in March, 1943, and was to constitute the nucleus of the future "Polish Committee of National Liberation" finally created in July, 1944. Their object was, of course, to compromise the Polish Government in the eyes of several hundred thousand deported Polish citizens in the Soviet Union from among whom as was announced in an official Soviet communiqué at the beginning of May, 1943, a "Tadeusz Kosciuszko Polish Division" would be formed "for the purpose of fighting side by side with the Red Army against the German invaders."

#### *12. Official attempts to solve the Polish-Soviet conflict.*

In British and American Government circles the decision of the Soviet Government to break off relations with the Polish Government caused great concern and considerable efforts were made to solve the conflict.

On April 27th and 28th, 1943, General Sikorski had conferences with Mr. Churchill and Mr. Eden as well as with the United States Ambassador, Mr. Drexel Biddle.

On April 27th a meeting of the Polish Cabinet was also held, at which the President of the Polish Republic was present. At this meeting the text of declaration which was published on April 28th was decided upon. This declaration firmly declared that a "policy aiming at a mutual friendly understanding between Poland and Soviet Russia on the basis of the integrity and full sovereignty of the Republic of Poland was and continues to be fully supported by the Polish Nation . . . Having settled their relations with Soviet Russia by the agreement of July 30th, 1941 and by the Declaration of December 4th, 1941, the Polish Government have strictly discharged their obligations . . . In the light of facts known throughout the world, the Polish Nation and the Polish Government have no need to defend themselves from any charge of contact or understanding with Hitler. In a public statement of April 17th, 1943, the Polish Government categorically denied to Germany the right to abuse the tragedy of Polish officers for her own perfidious aims. They unhesitatingly denounced the effort of Nazi propaganda to create distrust between the Allies . . ."

As it was supposed that the appeal to the Int. Red Cross was the chief cause of the Soviets uncompromising attitude, the Polish authorities willing to make every reasonable concession to the powerful Ally in the interest of Allied unity as a whole issued a declaration through Polish Telegraph Agency on April 30th, 1943. This stated that: "in the declaration published on April 28th the Polish Government did not refer to its request to the Committee of the International Red Cross for an investigation of the graves of Polish officers near Smolensk, the discovery of which is being used by German propaganda. In its reply to the Polish Government the Committee of the International Red Cross explained the difficulties with which it is confronted in fulfilling this request. In view of these circumstances, the Polish Government considers its request to be withdrawn."

This co-operative gesture made in general a favourable impression on Anglo-Saxon opinion. Hopes of a speedy solution of the conflict grew especially as the London evening press of April 29th reported that an exchange of views on the Polish-Russian question had taken place between London and Washington on the one hand, and Moscow on the other "on the highest level."

Furthermore Poland's National Day on May 3rd gave the British Government an opportunity of indicating its attitude. Thus in a written message to the Polish Nation, Mr. Churchill emphasised that "Poles, both in Poland and abroad, are united in their determination to carry on the fight against the German op-

<sup>1</sup>"No Pole to-day can contemplate deliberate co-operation with Germany and if the charge of such co-operation in M. Molotov's note was seriously intended, the implication will be justly and indignantly repudiated". ("The Times", 28.4.43.)

pressors of their Fatherland", and Sir John Anderson, officially representing H. M. Government at the 3rd May celebration pointed out that "Poland has been to us a loyal and faithful Ally . . . and throughout the length and breadth of Poland not even one Quisling has been found."

These official statements being in the nature of an indirect answer to the Soviet accusations, the Soviet Government probably realised that a pro-Polish gesture was called for in view of Anglo-Saxon opinion. On May 4th, 1943, replying to a question put to him by the correspondent of the London Times and the New York Times, Stalin publicly proclaimed that the Government of the U. S. S. R. "unquestionably desired" that after the defeat of Hitlerite Germany "strong and independent Poland" would arise, with which he would like to be able to establish post-war relations "upon the fundamentals of solid good neighbourly relations and mutual respect, or, should the Polish people so desire, upon the fundamentals of alliance providing for mutual assistance against the Germans, the chief enemies of the Soviet Union and Poland."

The effect of this declaration was a sudden growth of optimism in Anglo-Saxon circles which caused the press to cease writing about the Polish-Soviet conflict, since it was considered to be practically speaking, solved.

But the Soviet Government very soon found it necessary to disillusion the Western Allies on this point and Vice Commissar Vyshinsky summoned representatives of the British and American press in Moscow on May 6th, 1943, in order to make a long statement on the Polish question.

In this statement Vyshinsky said among other things that "the present Polish Government, under the influence of pro-Hitlerite elements within it and in the Polish press, provoked the well-known decision of the Soviet Government to suspend relations with the Polish Government, while Polish officials, Polish press and Polish radio continue to circulate numerous false statements concerning Soviet-Polish relations. In so doing they very often take advantage of the circumstance that wide public circles are not informed of the real facts bearing on these relations."

Dwelling on the Soviet version of Polish-Soviet relations, Vyshinsky accused General Anders' army evacuated to the Middle East, of being unwilling to fight the Germans and the Polish Embassy in the U. S. S. R. of carrying on espionage activities hostile to the U. S. S. R. instead of promoting the welfare of Polish citizens. Having evidently forgotten that he himself, on 14.9.41, had given the number of such citizens released from confinement on Soviet territory as 345,511 (see above p. 157), on this occasion he remarked that this number was "in fact not great."

In answer to Vyshinsky's statement, the Polish Minister of Foreign Affairs issued a short explanation on May 7th. "Fearing that M. Vyshinsky's statement would not contribute to the establishment of the much desired harmony in Polish-Soviet relations and in the whole allied camp", he confined himself to "denying a few facts", treating the accusation implied in the declaration concerning espionage work for Germany as "an insinuation so fantastic" as not to call for a denial or an answer.

### 13. Further German propaganda action.

(a) *Reports of "Volksdeutsche" from Kozielsk.*—It has already been mentioned (see p. 116) that a dozen or more Polish citizens of German descent were released from the Giazovietz camp in November, 1940, as a result of intervention by the German Ambassador. After the Katyn revelations, they drew up reports of the conditions of life in the Soviet prisoner of war camps at Kozielsk, Pavlishtchev Bor, and Giazovietz, which were afterwards widely used as German propaganda.

(b) *European medical commission.*—The attitude of the International Red Cross in making its participation in the commission to identify the bodies dependent on the agreement of "all interested parties" gave rise to great dissatisfaction on the part of the Germans. German and Italian radio commentators expressed their indignation that this neutral humanitarian organisation should shirk its proper duties for purely political reasons.

As the attitude of the International Red Cross, in view of the U. S. S. R.'s behaviour, constituted a virtual refusal to participate in the Katyn investigations, the Germans proceeded on their own to organise a "neutral" European commission of experts to investigate the Katyn discovery. At the request of Dr. Conti, Director of the Reich Health Services (Reichsgesundheitsführer), 12 doctors went to Katyn, mostly professors of Forensic Medicine and Criminology. Their object, according to the official protocol, was "to examine the scene of the crime at Katyn in order to contribute to an explanation of this event, which is unique of its kind."

The following countries were represented on the Commission:

- 1 neutral country (Switzerland),
- 4 occupied countries (Belgium, Denmark, Holland, Czechoslovakia),
- 6 satellite countries (Bulgaria, Finland, Croatia, Rumania, Slovakia and Hungary), and Italy.

Their names were as follows:

- 1. Belgium—Dr. Speleers, Professor of Ophthalmology at Ghent University.
- 2. Bulgaria—Dr. Markov, Lecturer in Forensic Medicine and Criminology at Sofia University.
- 3. Denmark—Dr. Tramsen, Prosector at the Institute of Forensic Medicine, Copenhagen.
- 4. Finland—Dr. Saxen, Professor of Anatomy and Pathology at Helsinki University.
- 5. Italy—Dr. Palmieri, Professor of Forensic Medicine and Criminology, Naples University.
- 6. Croatia—Dr. Miloslavich, Professor of Forensic Medicine and Criminology, Zagreb University.
- 7. Holland—Dr. de Burlet, Professor of Anatomy, Groningen University.
- 8. Czechoslovakia—Dr. Hájek, Professor of Forensic Medicine and Criminology, Prague University.
- 9. Rumania—Dr. Birkle, Forensic Medicine Doctor to the Rumanian Ministry of Justice and Senior Assistant at the Institute of Forensic Medicine and Criminology, Bucharest.
- 10. Switzerland—Dr. Naville, Professor of Forensic Medicine at Geneva University.
- 11. Slovakia—Dr. Štibik, Professor of Anatomy and Pathology at Bratislava University. Head of the State Health Service in Slovakia.
- 12. Hungary—Dr. Orsós, Professor of Forensic Medicine and Criminology, Budapest University.

Also present at the work and the meetings of the Commission were:

- 1. Dr. Buhtz, Professor of Forensic Medicine and Criminology at Breslau University, who was put in charge of the exhumations at Katyn by the Commander in Chief of the German Armed Forces,
- 2. Medecin-inspecteur Dr. Costedoat, who was instructed by the Head of the French Government to assist at the work of the commission.

In the course of three days spent at Katyn (28th–30th April, 1943) this Commission of experts:

- 1. interviewed several witnesses from among the local Russian population,
- 2. acquainted themselves with the work of exhumation and post mortem examinations which had already been carried out,
- 3. performed post mortem examinations on several bodies selected as special cases,
- 4. members of the Commission personally carried out post mortem examinations on 9 untouched bodies,
- 5. members of the Commission signed a protocol of their visit and gave a forensic medical opinion.

Below are quoted the title and introduction as well as extracts from the document, which was signed by the 12 European professors:

"Protokoll, aufgenommen anlässlich der Untersuchung von Massengräbern polnischer Offiziere im Walde von Katyn bei Smolensk, die durch eine Kommission führender Vertreter der Gerichtlichen Medizin und Kriminalistik europäischer Hochschulen und anderer namhafter medizinischer Hochschullehrer durchgeführt wurde. In der Zeit vom 28. bis 30.4.43 hat eine Kommission führender Vertreter der Gerichtlichen Medizin und Kriminalistik europäischer Hochschulen und anderer namhafter medizinischer Hochschullehrer die Massengräber polnischer Offiziere im Walde von Katyn bei Smolensk einer eingehenden wissenschaftlichen Untersuchung unterzogen".

("Protocol drawn up on the occasion of the examination of mass graves of Polish officers in the Katyn wood, near Smolensk, which examination was carried out by a Commission of leading representatives of forensic medicine and criminology from European universities and other distinguished university lecturers of medicine. From 28th–30th April, 1943, a Commission of leading representatives of forensic medicine and criminology from European universities and other distinguished university lecturers of medicine undertook a detailed scientific examination of the mass graves of Polish officers in the Katyn wood, near Smolensk.")

The Protocol did not mention the names of witnesses examined by the commission and did not quote their evidence, but gave the following summary: the wit-

nesses "stated that in the months of March and April, 1940, large rail convoys of Polish officers were unloaded almost daily at Gnezdovo station, near Katyn, were driven in prison cars to the Katyn wood, and they were never seen again."

According to the Protocol, seven mass graves had been opened by 30.4.43, and the number of bodies contained in the largest of these was estimated at 2,500. 982 bodies had been exhumed from the graves and 70% of them had already been identified. In order to identify the remainder, documents found on them would first have to be carefully examined. Before the arrival of the commission the exhumed bodies had already been examined and on most of them post mortems had been carried out by Professor Buhtz and his assistants.

The Protocol in describing the results of the medical examinations and research stated that all the bodies so far exhumed showed that individuals had been killed by a shot in the back of the head, at the base of the skull, which passed through the occipital bone and emerged, usually, near the edge of the scalp on the forehead, or in very rare cases lower down. All shots were fired in the opinion of the Commission from a pistol of less than 8 mm. calibre; in the majority of cases only one shot was fired, more rarely two, and in one instance as many as three.

"From the crushing of the skull and marks of gunpowder on the occipital bone near the hole made by the entrance of the bullet, as well as from the fact that in almost every case the bullet entered the head at the same place", the Commission concluded that the shots were fired from pistols pressed to the head or at very close range. This was also corroborated by the fact that the bullet had in every case, taken practically the same course with only a few small variations. The fact that all wounds were absolutely identical and that all the shots had been localised in a small area of the occipital bone lead the Commission to the conclusion that the shooting had been done by "experienced hands". The Commission further stated that on many of the bodies the arms were tied together in exactly the same manner and in some cases the clothes and skin showed signs of being pierced by a four-edged bayonet.

This latter statement which though not directly referring to the perpetrators of the murders, was of special significance since, unlike all other armies, which used flat, single-edged bayonets, the Russian army alone used and still uses four-edged bayonets.

Further paragraphs of the Protocol gave additional indirect clues as to the perpetration of the murders, stating that the officers' arms were in each case bound in exactly the same way as those of Russian civilians, also dug up in the Katyn wood but buried at a much earlier date. These had been murdered in exactly the same manner as had the Polish officers.

On the skull of one of the dead officers the Commission observed traces of another shot which had not pierced the skull, but only dented the outside of the bone. From this fact the Commission concluded that, to avoid transporting the bodies, the murder had been perpetrated right on the edge of the graves or in the grave itself, presuming that this second shot had killed another victim, emerged from the skull, hit the head of a body already lying in the pit but, having lost its velocity had not pierced the bone.

The Protocol then proceeded to a description of the graves. These were situated in a clearing in the wood which was thoroughly levelled and planted with young spruce trees. In the opinion of members of the Commission and of the expert forester, von Herff, whose opinion was sought, those spruces were at least five years old and had been planted in that place three years before, but had not grown well on account of the shade of big trees. The Protocol thus corrected the statement previously made in the D. N. B. (Deutsches Nachrichten Bureau) communiqué and in the German press (see p. 236) to the effect that the spruces planted on the graves were exactly "drei Jahre alt" (three years old).<sup>1</sup>

The Protocol described the mass graves as lying adjacent to one another on the sides of small hills, of clean sand. Only part of the graves reached the water just below the surface of the earth.

The bodies were nearly all lying face downwards, closely wedged side by side and piled one on top of another, they were neatly arranged near the sides of the grave, but not so neatly the centre; the legs were in nearly every case straightened and all the facts led the commission to conclude that they had been systematically packed in the graves.

<sup>1</sup> In an interview with a representative of the Deutsche Zeitung in Croatia, (No. 108 of 11.5.43), Professor Edward Miloslavich, a member of the Commission, gave further details concerning the age of the spruce trees. "On closer inspection of cross sections of these spruces it was seen that of their five annual rings the middle one was undeveloped, while the two last were well-formed. This shows that the trees were transplanted in the third year of growth, that is in the spring of 1940."

The Commission had no doubts that the uniforms on the bodies possessed all the characteristic features of Polish uniforms: buttons, distinctions, decorations, shape of boots, marks on linen etc. The clothes were winter ones there being many furs, leather jerkins, pullovers, scarves and Polish officers' caps. Only very few of the dead were not in officers uniforms, and of these one was a priest.<sup>2</sup>

As the uniforms exactly fitted the bodies, and the underlinen was close up, and belt buckles were properly fastened, the Commission concluded that the victims had been buried in the uniforms which they were wearing at the time of their death.

The Protocol affirmed that no watches or rings were found on the bodies, although the victims must have possessed the former up to the last moment, since exact times were stated in notes found on the bodies (compare Major Solski's note on the convoy of 7.4.40, see p. 64). Precious metal objects were only found carefully hidden on a very few bodies. A large number of them, however, had gold teeth. A considerable number of Polish bank notes and coins were also found as well as Polish cigarette boxes and matches, and in some cases cigarettes and holders bearing the inscription "Kozielsk". Documents found on the bodies (diaries, correspondence, newspapers etc.) referred to the period from the autumn of 1939 to March and April, 1940. Up to the end of the commission's visit, the latest date appearing in these documents was that of a Russian newspaper of 22.4.40 which was found on one of the bodies.

The Protocol went on to state that the bodies were in varying states of decomposition, depending on their position in the grave and their relation to other bodies. While those lying in the upper layers and near the edges of the grave were comparatively dry, in some cases even mummified, those in the centre formed one humid mass. In view of the fact that neighbouring bodies were stuck together by thick cadaveric fluid, and in particular, that they bore marks corresponding to those on the bodies against which they were pressed, the commission concluded that the bodies had not been previously touched in the grave and were lying in their original position.

No insects were found on the bodies, nor any traces of them which lead the commission to the conclusion that the murder and burial of the bodies must have taken place in winter, at a time when there are no insects.

The last paragraph of the Protocol referred to examinations of the cerebral matter performed on a large number of skulls by Professor Orsos method (these examinations were supposed to establish the time of death and burial), and stated that the skull of one of the bodies (no. 526) found in an upper layer of a large mass grave showed "very distinct" signs indicating that death had occurred at least three years ago.

At the conclusion of the Protocol the verdict of the Commission was given in the following words:

"The commission investigated in the Katyn wood the mass graves of Polish officers, seven of which have already been opened. The 982 bodies so far recovered from these graves have been examined, on some of them post mortems have been held and 70% have been identified.

In every case the cause of death was shown to be shooting in the back of the head. From the testimony of witnesses and from diaries, newspapers etc. found on the bodies it is apparent that the shooting took place during the months of March and April, 1940. The detailed results described in this protocol of the examination of mass graves and of autopsies performed on individual bodies of Polish officers, entirely agree on this point."

The whole text of the protocol was published in many German newspapers (e. g. Volkischer Beobachter of 4.5.43) and provided new material for German propaganda throughout the whole of Europe.

Despite the efforts of the German authorities to give the commission of experts an international, neutral and unbiased character, independent opinion did not regard its report as constituting the final word on the question. The most serious objection to the commission was that however distinguished were the experts that composed it, too many of them represented countries dominated by Germany and too few came from neutral states.

<sup>2</sup> It appeared from the report in the Berliner Börsen Zeitung (No. 197 of 29.4.43) and from later German publications on Katyn that this was the body of an Army chaplain, Major Jan Ziolkowski of Jaroslav, who was not removed from Kozielsk with the other chaplains on 23.12.39 but shared the fate of the rest of the officers from that camp when it was liquidated in April and May 1940 (see p. 23). The bodies of the other chaplains removed from Kozielsk at Christmas, 1939, were not found at Katyn. It is strange that the Protocol of the commission does not mention that the body of one woman was found there, as was stated in the report of the journalists who visited Katyn, (see p. 237) as this would have tallied with the fact that there was one woman among the officers at Kozielsk. (see p. 22).

Consequently the protocol of the "European Commission of Experts" was used only for a comparatively short time as German propaganda. Similarly reports, articles and lectures by members of the Commission after their return from Katyn did not have very much effect.

c) *Facilities for visiting the Katyn graves.*—In order to give the Katyn affair the widest possible publicity, the German authorities accorded extensive facilities to anyone wishing to see for himself the place of the murder and its victims. For several months, therefore, Smolensk became a specific "tourist" centre for the whole of Europe. Excursions for journalists, politicians, writers, doctors, prisoners of war, etc., were officially organised by the Germans and often even transported by air to Smolensk, and special arrangements were made for the visit of large numbers of officers and soldiers of the German and satellite armies to Katyn. Placards announcing the discovery of the graves and promising pecuniary awards to anyone able to supply additional information about the murders to the German authorities were posted up all over Smolensk and a special section of the German Command in Smolensk was detailed to give every possible assistance to visitors to Katyn, arranging transport and accommodation, supplying guides, etc. The German authorities made no objections to visitors establishing contact with the local population, and they were also encouraged to send letters describing their impressions of the spot.

The following is an extract from the account of a Polish citizen, written after his arrival on Swiss territory:

"In May, 1943, I went with a whole convoy of cars to Smolensk, where the Katyn sensation was the talk of the day. At every turn enormous placards proclaimed the Bolshevik crime. A special section of the Smolensk Command had been formed to explain the details of the Katyn affair and a Polish Red Cross delegation was already working there. Officers were taken in organised groups to the scene of death—willingly or unwillingly they had to go. On the second day after my arrival at Smolensk I reported to the German Command and asked to be shown Katyn. I was very cordially received and when the commanding officer, a Major, learnt that I was from Silesia, his friendliness increased 100%. 'You certainly know many Poles in the German Government. Tell them, when you return, how the Bolsheviks treated Polish officers', were his first words on learning that I was from Silesia. At 4.30 a. m. we started, and with five German officers I drove 25 kilometers (about 16 miles) to Katyn." After describing the appearance of the graves and their contents, the report continues:

"While the officers conducted a rather long conversation with the doctor, I went out of the hut. I still cannot believe that the Bolsheviks were capable of such a monstrous crime. I was always inclined to be skeptical about the German communiqués about Katyn. But here one can have no doubts; the naked, ghastly truth speaks for itself. Even a stranger must realise that the Katyn affair was not an artificial trick of propaganda, but true. I followed a path leading to the wood and met an old man of 85 years carrying wood. I entered into conversation with the old man, who was at first suspicious, but later, when I said I was a Pole, he told me quite openly the story of Katyn. He told me how for three months lorries had arrived, from which Polish officers had embarked under G. P. U. escort; he told of the shots which echoed on the Katyn hills, of how the population was forbidden to approach the place of death. That man was not lying, that could be seen at once. So that was indeed the truth, the ghastly truth . . ."

And here are extracts from a report based on the accounts of two Frenchmen who were deported from France to the East in the Todt organisation and employed at Katyn during May and June, 1943:

"One of the boys, who spoke broken Russian, conversed with two peasants, one old and the other younger, about forty, with a wife. The story of these peasants is as follows:—Polish prisoners were unloaded at Smolensk and the proposal was put to them that they should join the Soviet Army with the promise of promotion to one rank higher. The proposal was made to each one in turn, starting with the lowest rank, and if they refused they were told that they would go back to Poland, but on foot, and were sent along the road towards Poland. Several kilometres from Smolensk was the Katyn wood, two or three kilometres from the village of Katyn. Here they were ordered to dig trenches and were told there was to be a camp (the second peasant said they had been told a hospital would be erected there). Then the first group was shot, and so for two weeks shots were constantly heard . . . According to those same peasants a riot broke out when the last group were shot, and for that reason the fourth grave looks entirely different from the others. They were apparently thrown into a deep pit, many of them lying on their backs, others face downwards, some on their knees, others



with their legs stretched out in positions as though they had been thrown in from above. All had many shots in their bodies. . . ."

The boys reported further that very many German generals visited the graves and that everyone was sent through Katyn on the way to the front. The boys said also that though they were normally allowed to send only one card a month to their families, when they wanted to write about Katyn they could write as much as they wished, were provided with all the paper they needed and their letters were sent by "Luftpost."

d) *Records of the Smolensk Branch of the N. K. V. D.*—From June, 1943, material from the records of the Smolensk N. K. V. D. Branch was used by the German press for propaganda purposes. According to the Germans these records were removed to the rear when Smolensk was taken by them in 1941 and were only remembered on the discovery of the Katyn murders.

From information said to have been found in these records published in the German press during the first half of June, the following interesting facts emerge.

### 1. *Who was responsible for Polish officers?*

The Smolensk N. K. V. D. Branch remained from the Autumn of 1939 in constant touch with the State Security Central Office in Moscow on all matters connected with Polish prisoners of war, sending there lists of prisoners: officers, doctors, army chaplains etc., and detailed reports and acting only on its instructions. In particular the central office in Moscow instructed Detachment III of the Smolensk N. K. V. D., commanded by Colonel Kuprianov of the State Security with 1st Lieutenant Leibkind and 2nd Lieutenant Starykovitsch, both State Security officers, to find Polish prisoners of war who knew good English and French with a view to their being sent to the West as agents of the Soviet Intelligence Service.

### 2. *"Preparation" of prisoners.*

Interesting facts were published concerning the "detailed procedure" for obtaining the consent of individual prisoners to collaborate with the N. K. V. D. But most of the material published in the German press about the activities of Soviet agents among the Poles and the results of investigations did not refer to Kozielsk II (the missing prisoners) but to Kozielsk III (internees). The German press was however entirely unaware of this.

### 3. *"Transferred to an unknown camp."*

On the basis of these records the "Ostdeutscher Beobachter" of 8.6.43 described the interesting case of a Polish citizen, Alexandra Urbanska, who was deported with her family from Poland to Rodnikovka, province of Aktyubinsk, Kazakstan. When she requested the N. K. V. D. to inform her of the whereabouts of her husband, Lieutenant Richard Urbanski, who had been at Kozielsk but from whom she had received no news since March, 1940, an official of the Smolensk N. K. V. D., Filipovitch was alleged to have made the following note:

"inform her that he has been transferred to an unknown camp 6.5.40."

(This date should probably be 1941). The body of Urbanski, added the Ostdeutscher Beobachter, was found in the Katyn graves.)

It is interesting to note that one of the Polish volunteers who arrived in Great Britain from Russia in 1942, reported a similar case to his authorities. He said that his father, a policeman in Zdobunov (Poland), had been arrested there by the Soviet authorities and was subsequently sent to the camp for Polish prisoners of war at Ostashkov, from where he communicated by letter with his family in Poland.

On April 13th, 1940, his family (wife, son and daughter) were deported by the Soviet authorities from Zdobunov to Southern Kazakstan, from whence they still tried to correspond with their father. Not receiving any reply from him, the deported family approached various local and central Soviet authorities—the N. K. V. D., public prosecutors etc., even to Stalin himself—with a request for information about the fate of the prisoner and his whereabouts. After a long delay, in the spring of 1941 they received the following answer, signed by the public prosecutor of the Ostashkov district: "The camp in which your father was living was liquidated in the spring of 1940. The present whereabouts of your father are unknown." (Witness 36).

(e) *Publication of lists of identified victims.*—Besides publishing facts of this kind as propaganda, the Germans, with the view to sustaining public interest in Katyn, published over a period of several months new lists of identified victims.

These lists were not completely accurate. The identification of bodies was certainly not easy. Many of the documents found on the bodies could only be read with great difficulty and not always accurately. Many names, after being

translated several times (from Polish into Russian, Russian into German, and from German back to Polish) were changed. Consequently, in several instances families were officially informed by the Germans that bodies of people who were in reality still alive, or had been arrested during the German occupation, had been found at Katyn. These cases in particular gave rise to doubts about the truth of the German revelations. Without excluding the possibility that the Germans in some instances acted in bad faith and tried "to put into the Katyn graves" victims of crimes committed by them elsewhere, it must be stated that these were only isolated cases, while most of the several thousand names published were of people who had really been taken prisoner by the Soviets in 1939 deported to the U. S. S. R., and had subsequently vanished.

The publication of lists of identified Katyn victims had special significance in Poland, where many of the families, friends and acquaintances of the vanished Polish prisoners of war were still living. These people who up till then had boycotted the German-sponsored Polish press and wireless eagerly waited for the publication of the lists, but all the evidence goes to show that the Katyn propaganda in no way diminished their hostility to the Germans.

#### CHAPTER XX. FINAL GERMAN OFFICIAL VERSION

##### 14. "*Amtliches Material zum Massenmord von Katyn*".

All who had inspected the Katyn graves emphasized the intolerable stench of thousands of exhumed bodies. As the weather grew warmer the stench necessarily became stronger and working conditions deteriorated. The Germans were, therefore, able to explain the "temporary" suspension of exhumations on 3.6.43 as being necessary under sanitary regulations, on account of the "summer heat and great plague of flies" (*Amtliches Material* p. 40). For some reason, however, they did not announce this decision for a whole month, and lists of identified bodies continued to be published and propaganda put out. It was only on July 3rd that the "*Völkischer Beobachter*" reported the suspension of work during the summer heat and gave a general report on the work already completed.

In mid-September, 1943, on the instructions of the German Foreign Office, the Deutsche Informationsstelle (German Information Centre) in Berlin published a comprehensive volume of 350 pages entitled "*Amtliches Material zum Massenmord von Katyn*" (Official Material Concerning the Mass Murder at Katyn).

Since the course of military operations prevented the Germans from resuming work at Katyn in the following Autumn, as they had allegedly intended, the "*Amtliches Material*" is in fact the final summary of the work accomplished by the Germans and constitute the most complete presentation of the German evidence concerning the Katyn murder. This chapter is, therefore devoted to analysis of this evidence.

Apart from an introduction of a few pages, a list of 4,143 exhumed and partly identified bodies and one section containing numerous illustrations, the *Amtliches Material* was made up of a collection of documents, some printed in full and others summarised, divided into three Parts:

I. Factual situation. pp.

II. Appeal to the International Red Cross. pp.

III. The diplomatic handling of this case by the Allies. pp.

Part I which is the most interesting, is devoted to the German version of the facts about the Katyn murder. It is divided into 5 chapters and contains the following documents:

A. Discovery of the mass graves.

1. Final evidence of the Secretary of the German Secret Field Police (*Geheime Feldpolizei*), Voss, regarding the excavation of bodies of Polish officers, dated 26.4.43.

2. Report of the Field Police on the commencement of exhumations, dated 27.3.43.

B. Kose Gory (Goat Hills)—a former place of execution of the Tsheka.<sup>1</sup>

3. Police record of the examination of witness Kuzma Godunov dated 5.4.43.

4. Police record of examination of witness Ivan Kryvosertsev dated 4.4.43.

5. Police record of examination of witness Michael Zigulev, dated 6.4.43.

6. Extract from report of the Field Police, dated 10.4.43.

C. Transportation and liquidation of victims in the Spring of 1940.

7. Police records of examinations of local witnesses concerning the arrival of prisoners:

<sup>1</sup> Secret Police in Russia, predecessor of present N. K. V. D.

- A. Ivan Krivosertsev on 27.2.43,
- B. Matvei Zakharov on 2.4.43,
- C. Grigori Silvestrov on 1.4.43,
- D. Ivan Andreyev on 28.2.43.
- 8. Police record of the examination of witness Parfen Kisselev concerning the discovery of the mass grave by Polish workers in 1942, dated 27.2.43.
- 9. Police record of the swearing in of witnesses Kisselev, Krivosertsev, Andreyev, Silvestrov, Zakharov and Zigulev on 18.4.43.
- 10. Extract from the report of a former prisoner at Kozielsk, a Volksdeutscher named Glaeser.
- 11. Extract from Major Solski's diary, found at Katyn (see p. 64).
- D. Identification of victims.
- 12. Extract from report of Field Police dated 10.4.43.
- 13. Final report of Field Police dated 10.6.43.
- 14. Report on the visit of the Polish delegation to Katyn, dated 13.4.43.
- E. Records and results of post-mortem examinations performed by German police sergeant, and the international Medical Commission.
- 15. Report of the chief police surgeon, Professor Gerhard Buhtz (the basic document comprising 56 pages).
- 16. Records of post mortem performed by German police surgeons.
- 17. Protocol of the International Medical Commission, dated 30.4.43.
- 18. Results of post mortems performed by members of the International Medical Commission.

15. *Story of the Katyn "discovery" and preparatory work.*

According to Kisselev's evidence given on 27.2.43, in the Summer of 1942, 10 Poles, working in labour gangs at Gniezdovo, asked him to show them the burial place of their compatriots who had been shot by the N. K. V. D. Kisselev said that he had conducted them to the Katyn wood, showed them the artificial mounds of sand and even supplied them with tools for excavating them, and that the Poles had later come to him and told him that they had actually found Polish bodies and had marked the place with two birch crosses.

For reasons and circumstances not explained in the Amtliches Material, the German Field Police (Group 570—Aussenkommando bei der Herresgruppe Mitte) apparently did not learn of this discovery until the beginning of February, 1943, when despite the frost they immediately began experimental excavations, in the course of which they came across bodies in Polish uniforms at a depth of 2 metres (2 yds 8 ins). Only then did the German Field Police make their first records of the evidence of witnesses, a summary of which is given here.

On 27.2.43 Ivan Krivosertsev of Novo Bateki, aged 28, employed in the German civil guard, testified that in 1940 he was working at the Gniezdovo kolkhoz, near the railway, and noticed that during March and April, 3 or 4 trains with 3 or 4 prison trucks arrived at Gniezdovo station every day from Smolensk. His sister, Daria, who had since been evacuated by the Russians, told him that she had herself seen Polish soldiers, civilians and a few priests disembarked from these trucks and loaded into closed lorries. Although he had never seen it himself or heard it from his sister, yet, it was said everywhere in the district that, the lorries took these people to the N. K. V. D. at Kose Gory, where they were shot.

On 27.2.43 Parfen Kisselev, aged 72, who had lived in Kose Gory since 1907, in addition to his evidence about the showing of the graves to the Poles told how for about 10 years the little castle on the Dnieper has been used as a sanatorium for N. K. V. D. officials, and consequently the local inhabitants had been forbidden to enter that part of the wood which was surrounded by wire and guarded by armed sentries. In the spring of 1940, for a period of 4 or 5 weeks 3 or 4 closed lorries had arrived there daily, loaded with people, who had apparently been shot there. Once when he had been at Gniezdovo station he had seen men being transferred from railway trucks to lorries. Although he had never dared to approach the wood, he had heard from his house the sound of shots and human cries. He said that it seemed very probable that they had been shot there and that the local population were of the opinion that about 10,000 Poles had been shot. He said that after the district had been taken by the Germans, he went to the wood to see if it was true, but he had been disappointed in not finding the bodies, but only mounds, which he had subsequently showed to the Polish workmen.

On 28.2.43 Ivan Andreyev, aged 26, a locksmith from Novo Bateki, also stated that from mid-March to mid-April, 1940, 3 or 4 trains with 2 or 3 prison trucks had arrived daily at Gniezdovo station. The inmates of those trucks had been transferred to closed lorries. They had mostly been Polish soldiers, whom he had recognised by their caps, but there had also been civilians. The lorries had

driven off in the direction of Katyn and after having gone  $2\frac{1}{2}$  kilometres ( $1\frac{1}{2}$  miles) had turned off the Kose Gory, where—he had been told, though he himself had not seen it—these people had been shot by the N. K. V. D.

After making records of this evidence, the Field Police sent its first report to the Headquarters of the Central Army Group and on 1.3.43 the report was shown to the Chief police surgeon, Professor Buhtz, who was attached to the Headquarters of the Central Army Group. After visiting the spot to satisfy himself as to the truth of the police report, Professor Buhtz started the preparatory work of excavation. During March a large wooden house was brought to the Katyn wood from the neighbouring village and used for post mortem work. Preparations for excavations, transportation of bodies, post mortem examinations, marking the bodies and preserving the articles found on them etc., were made and the field laboratory of forensic medicine at Smolensk was also suitably adopted for the large amount of work awaiting it.

When these preparations had been completed for medico-legal work and the Field Police had organised a labour gang composed of 35 inhabitants of Katyn village, and 7 Russian civil guards to act as night watchmen and to protect the bodies from looters, excavations of the graves already thawed were commenced on 29.3.43., on the official orders of the Central Army Group Command.

At the same time the intensive examination of witnesses began.

The following witnesses were examined:

On 1.4.43 Grigory Silvestrov, aged 48, a workman living at Novo Bateki, said in his evidence that he lived near Gniezdovo station and had seen in the evenings people being transferred from prison trucks to three prison lorries, so-called "tchorny voron" (black crow—see p. 51) during April and May, 1940. When the lorries were full and prisoners luggage had been loaded on to a separate lorry, the convoy left the station and drove in the direction of Katyn. In 20 or 25 minutes the same lorries returned for the next party. The reloading usually took place in the evening but sometimes went on during the night. In twenty-four hours the convoy of lorries made ten journeys to and fro. This went on for about four weeks. The prisoners were all men, mostly in foreign officers' uniforms, but there were also people in civilian clothes, some of them old, a few even walking on crutches. He had not known to which country the uniforms belonged and various rumours had circulated among the local inhabitants some saying they were Poles, others maintaining they were Finns. There had also been rumours that they were taken to the resthouse some distance from Gniezdovo station and shot. Silvestrov said that he thought that was true because the local population, who had hitherto been permitted to look for mushrooms in that region had been forbidden to go there during the period when convoys were arriving. His evidence also referred to the "Jewish type" of N. K. V. D. men escorting the prisoners. This statement was afterwards widely used by Nazi propaganda.

On 2.4.43 Matvei Zakharov, aged 50, the headman of the village of Novo Bateki, testified that from 1937–41 he had worked on the railway as a coupler at Smolensk station where he had seen 5 or 6 Pullman prison trucks arrive together with goods trains in March 1940. Of these 2 or 3 had remained at Smolensk and the rest had gone on to Gniezdovo. He had heard from the escort that the prisoners in those trucks had come from the camp at Kozielsk, which, he thought, was situated somewhere on the Riazan-Ural line, because the railway records said that the trains came to Smolensk on the Riazan-Ural line, travelling via Kozlov, Tambov and Yelnya (?). He said that in the course of his duties he had had the opportunity of seeing the interior of the empty trucks and he gave a fairly accurate description of them in his evidence (see p. 57), stating also that the escort had told him that 18–20 prisoners were crammed into the compartments, which were intended for 6 people. He was also alleged to have had the opportunity of seeing prisoners disembarking at Smolensk (?) station and being loaded into prison lorries, which drove off in the direction of Gniezdovo. The prisoners had been according to him in Polish uniforms, mostly officers, but a certain number of people had worn civilian clothes; he had also noticed a few priests. These movements were said to have continued for 28 days, a fact which he had allegedly confirmed by reference to his duty notes.

On 5.4.43 Kuzma Godunov, aged 67, an agricultural labourer living at Novo Bateki, testified that he had lived all his life at Novo Bateki, where he had been employed as a groom from 1918 onwards. In 1921 he had seen 10–15 people being taken to Kose Gory by the Tsheka (secret police) to be shot. Among them he had recognised and spoke to two of his cousins. He had also heard from acquaintances that their son, who had been condemned to death in Smolensk by the "Troyka" (Secret Police Committee of 3) as an anti-communist, had also

been shot at Kose Gory in 1921. Thereafter until 1931 the Kose Gory wood had not been used for executions and had been open to everyone. Children gathering mushrooms there had often told him that they had come across the graves.

On 5.4.43 Krivosertsev, employed in the German civil guard (see p. 301) was again interrogated on the question of the former use of Kose Gory as a place of execution. Amongst other things he said that he had heard from his parents that after 1918 Kose Gory was used by the Tsheka as a place of execution and subsequently by the G. P. U., the O. G. P. U. and finally by the N. K. V. D. But until 1931 the local population had been allowed to gather mushrooms and berries there; the witness himself had done so in his boyhood.

At that time he had heard from grown-up people that there was fresh graves there. From 1931 onwards it had been forbidden to enter Kose Gory. In 1934 a large Rest House for N. K. V. D. officials had been built there. From 1940 Kose Gory had been guarded from the outside by sentries and dogs. In March and April of that year many prison trucks had arrived at Gniezdovo station and the prisoners had been taken in "tchorny voron" in the direction of Katyn. The witness himself had heard no shots from the region of Kose Gory.

On 6.4.43 the last witness named in the Amtliches Material, Michael Zigulev, was interrogated. He was 28 years old, lived at Novo Bateki and from 1942 had also been employed in the German civil guard. He testified that as a child he had heard that Smolensk prisoners were shot at Kose Gory and had himself often seen open lorries driving in that direction full of prisoners, surrounded by armed guards. In 1927, when grazing horses nearby, he and other children had seen 11 persons being unloaded from a lorry which had arrived from the direction of Smolensk and then escorted to Kose Gory. Afterwards he had heard shots. When the escort had returned and the lorry departed the children had decided to look at the place of execution. He said that he alone had lost courage at the last moment and had remained behind but that his friends had reported that they had found traces of blood beside the graves, which were so shallow that the arms and legs of the victims were protruding from them.

As the evidence taken by the Field Police was not considered from the legal point of view to have sufficient validity the Central Army Group Command ordered the witnesses already examined by the police to appear before a Military Court at the Central Army Group to give evidence again under oath. They were accordingly sworn in before a judge on 18.4.43. On this occasion attempts were apparently made to extract from them further details more suitable for propaganda purposes but the majority of witnesses confined themselves to confirming their previous testimony before the court and only a few of them enlarged upon it. Among these was the coupler Zakharov, who after he had been sworn in additionally testified that, although he had not seen all the prison trucks, those which he had seen had always contained two or three priests, wearing long robes and he had been told that they were Polish priests.

It should be stressed that, although this additional evidence was in glaring contradiction to his first testimony, in which he stated that he had seen the inside of empty prison trucks only (see above), this did not deter the German judge, Dr. Conrad, from stating at the end of the protocol of the court proceedings that all the witnesses had made on him an impression of complete reliability and that he was convinced they had told all they knew.

#### 16. *The place of execution and its surroundings.*

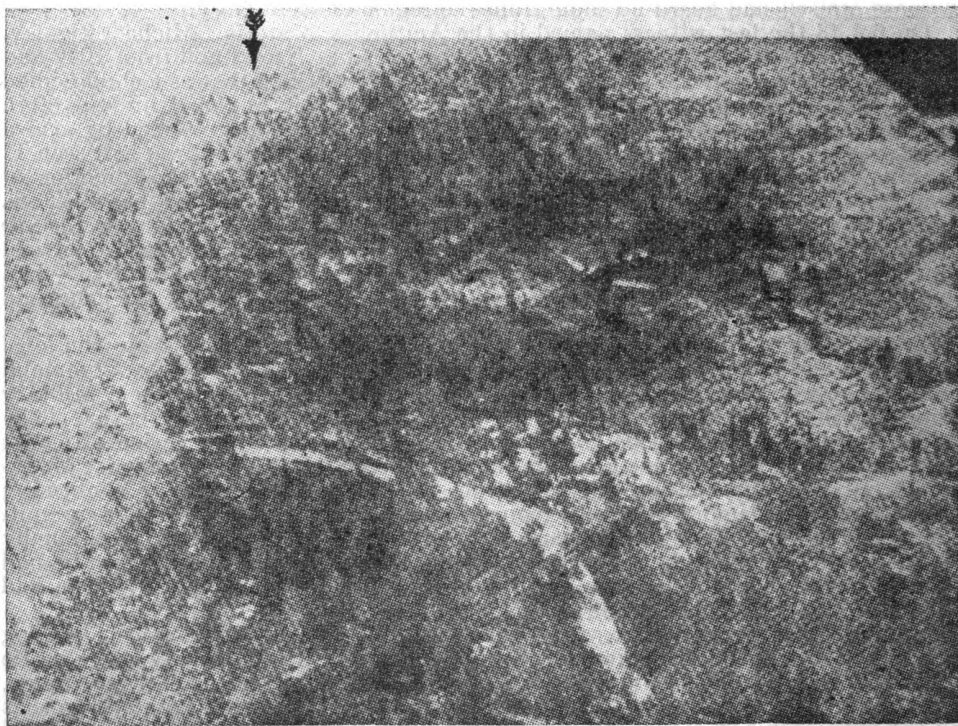
From the sketch attached to Amtliches Material (p. 274) it appears that the graves of the Polish officers were situated near the Smolensk-Vitebsk main road between Sofievka and Katyn (see map attached.) At a distance of about 8 miles (13 kilometres) from Smolensk this road crosses the Smolensk-Orsha railway, at the point where it bridges the river Olsha near a place called Sofiovka. Less than  $\frac{1}{4}$  of a mile East of this bridge is the station of Gniezdovaia (Gniezdovo). Along the Smolensk-Vitebsk road, about 2 kilometres ( $1\frac{1}{4}$  miles) West of the bridge and roughly  $2\frac{1}{2}$  or 3 kilometres ( $1\frac{1}{2}$  to 2 miles) from the Gniezdovaia railway station, a woody lane branches off the main road Southwards, leading to the "Little Castle on the Dnieper"—the N. K. V. D. Rest House situated on the Northern bank of the river Dnieper less than  $\frac{1}{4}$  of a mile from the main road.

About half way along (coming Northwards from the "Little Castle") this lane forks, the right branch leading Eastwards towards some farm buildings (probably Kose Gory, where the witness Kisselev lived). About 100 metres South of the main road the two branches are connected by another lane so that a rough triangle is formed, the sides of which are three woody lanes. Within this triangle lay the mass graves of Russians from the time of the Revolution.

Approximately half way down the longest side of the triangle—the Western, crooked side, (formed by the woody lane leading from the main road to the Rest House,) lay the mass graves of Polish officers a few yards from the lane. They were situated in a clearing in the wood some hundred yards from the valley of the Dnieper, which sloped towards a marsh lying to the South-West. Between the uppermost grave and the marsh the ground dropped 4 feet (see Amtliches Material p. 62).

Kathyn—which is the name of a railway station on the Smolensk-Orsha line and of a small town lying on the opposite, left bank of the Dnieper lies a few miles West of the place of execution.

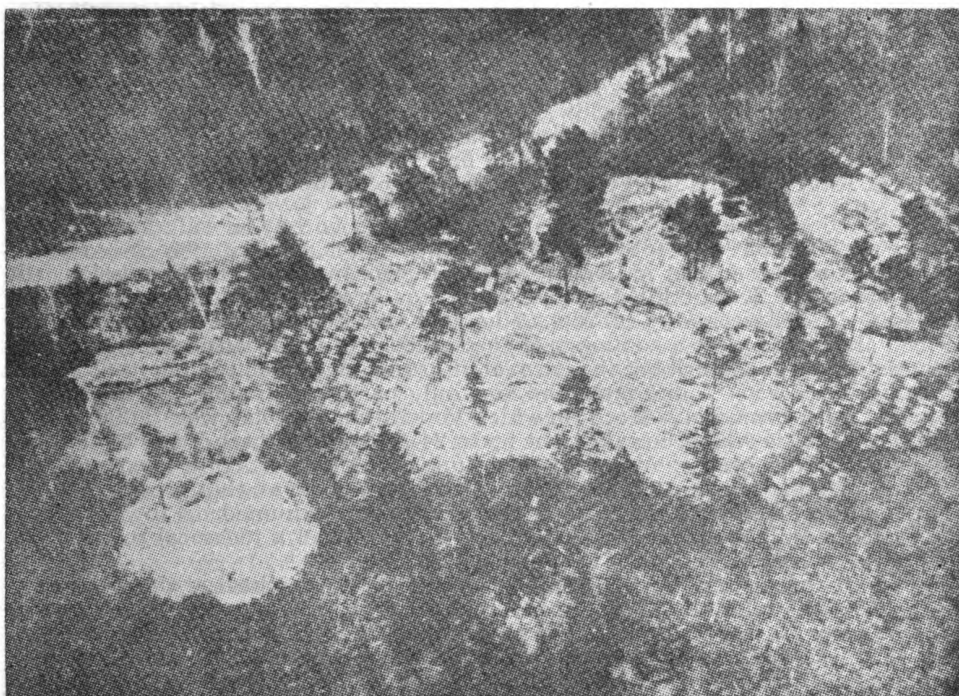
From Smolensk to Katyn the whole valley of the Dnieper and its tributary the Olsha is woody and was apparently commonly known as the Katyn Forest. Different parts of this forest were named Tshorny Bor, (Black Forest), Krasnyj Bor (Red Forest), Kose Gory (Goat Hill), etc.





# Map of KATYN - GNEZDOVO Region





18. *State of the excavations at the time when the "discovery" was disclosed.*

From the time when the work began on 29.3.43 until 10.4.43 exploratory excavations were made all over the woody ground between the main road and the "Little Castle". From the report of the Field Police (documents 6 and 12) included in Amtliches Material, it appears that in the course of these excavations altogether eleven mass graves were found, of which Nos. 1-7, in the Western part of the wood, contained the bodies of Polish officers, while Nos. 8-11 in the Eastern triangle, contained the bodies of Russians buried there at least 10 years before.

Some of the Polish graves had by this time already been more thoroughly examined, others only opened. In particular the grave designated as No. 1 by the Germans was dug right out at one end, and was found to contain 12 layers of bodies. It was reckoned that there were 250 bodies in the top layer. The Field Police report therefore concluded that the grave contained at least 3,000 bodies, perhaps more. But since, as the report pointed out, the bodies in grave No. 1 were lying "mostly in disorder", while those in the remaining six graves were "in places tightly packed against one another", there seemed to be grounds for estimating the total number of bodies at "10-12 thousand at least" (see p. 234).

By 10.4.43 100 bodies in all had been recovered from the Polish graves, of which 65 had been identified on the basis of documents found on them. In the case of 39, the exact rank in the Polish Forces had been established, namely 2 Generals, 2 Colonels, 1 Medical Colonel, 4 Lt. Colonels, 7 Majors, 2 Medical Colonels, 6 Captains, 1 Medical Major, 4 1st Lieutenants and 10 2nd Lieutenants. (Amtliches Material p. 32).

With the exception of documents and personal possessions everything found on the bodies was burnt by the German police.

It is most probable that some of the bodies were also recovered from the Russian graves at the same time, as the report of the Field Police speaks of the clothes found on them and refers to the fact that some of them had their hands tied behind them and in some cases the heads were covered with coats filled with sawdust. The report did not attempt to estimate even roughly the number of bodies in the Russian graves. (Amtliches Material p. 21).

Although the excavation of the Polish graves had progressed according to the report of the Field Police published in Amtliches Material, thus far at the time when their existence was disclosed to the world, excursions visiting Katyn were usually shown only the largest grave, (No. 1), which also chiefly figured in the descriptions given in the first days after the revelations. The size of this grave was exaggerated in these descriptions, because although the measurements were

given as being 26 metres in length and 16 metres in breadth as it was in the form of an "L" (see below p. 315) its area was in reality only 252 sq. metres and not 416. The existence of other graves was also mentioned and in exceptional cases others were shown, particularly the second largest, known as No. 2 (for a detailed description of this grave see p. 318 below), but the already established fact that Polish officers were buried in altogether seven mass graves (five of which were comparatively small) was still kept secret. The first mention of the discovery of seven graves at Katyn was made only in the report of the European Medical Commission of 30.4.43.

#### 18. *Speed and method of exhumation at Katyn.*

Just before the arrival at Katyn of the European Medical Commission, the Secretary of the Katyn Field Police, Voss, was sworn in and interrogated as a witness. In his testimony of 26.4.43 he told the story of the "discovery" described above and gave a summary of the evidence of a few witnesses (Amtliches Material p. 16). Describing the excavated graves, Voss pointed out that in one of them, which was "found later and now only partly excavated," all the bodies were tied up. From grave No. 1, in which Voss estimated there were 3,000 bodies, only the top layer had been taken out up to 24.4.43, and a total of 600 bodies had according to him been exhumed by that time. If this last figure is correct, the speed of exhumation must have already been very great at that time, since the report of the Medical Commission gives the number exhumed up to 30.4.43, as 982. This may have been connected with the arrival of a technical team of the Polish Red Cross at Katyn in the second half of April.

In the further course of his testimony of 26.4.43 Voss estimated the number of bodies in the "weiteren gleichgrossen Gräbern" (other equally large graves) situated near grave No. 1 as "round about" 5-6 thousand. Apart from the fact that this description was inaccurate as No. 1 grave was much the largest, Voss, having given the total estimated number of bodies as being about 2-3,000 less than the "10-12 thousand" originally mentioned, characteristically pointed out, that it was doubtful whether all the 8-9,000 bodies could be exhumed in view of the wetness of the ground in the Western part of the clearing.

There was nothing in the Amtliches Material about the speed of subsequent exhumations. But in the first period of the excavations when they were still searching for the graves in the mounds, the actual exhumations were certainly slower than in the later period, when the position of all Polish graves was already known and the mounds had been levelled.

According to Amtliches Material the excavation of the Katyn graves was in progress from 29.3.43 to 3.6.43-68 days in all, of which 10 were holidays. Easter Saturday, March 24th, was the 27th day of work; Friday, April 30th, the 33rd day. From the figures of 600 and 82 given above it appears that in four days of work (omitting the two days holiday at Easter), 382 bodies were recovered, a daily average of approximately 100 bodies.

In the period from 1.5.43 to 3.6.43 (when "excavations were interrupted") there were 30 working days and 5 holidays. As, according to Amtliches Material, the total number of bodies recovered at Katyn was 4,143 bodies, that is 3,061 in that last period of 30 days (4,143 minus 982), the daily average of about 100 bodies remains the same. This figure tallies with a report sent from Katyn by a special correspondent of the Telepress Agency and published in "Goniec Krakowski" ("Cracow Messenger") No. 123 of 28.5.43, in which it was stated that "thanks to their unexemplified self-sacrifice the members of the (Polish Red Cross) team are in a position to examine and identify about 120 bodies daily."

According to Professor Buhtz's report, the bodies were lifted from the grave by Russian civilian workmen under the supervision of professional medical personnel, at first Germans but later—from the second half of April—Poles, namely the Polish Red Cross team. That team, under the direction of the senior assistant of the Institute of Forensic Medicine at Cracow, Dr. Marian Wodzinski, consisted of three officials of that institute and the Institute of Pathological Anatomy at Cracow and 5 members of the Polish Red Cross from Warsaw.

The exhumation of the bodies which were lying in orderly layers did not present much difficulty. But in those graves into which they had been thrown in at random the limbs of the corpses were often pinned down by other bodies. This, owing to the considerable degree of decomposition, meant that great care had to be taken not to damage them during exhumation. Particularly difficult was the exhumation of corpses in the lower layers and at the centre of the graves, where the bodies were stuck together in one mass. The water which had flooded some of the graves was the cause of further difficulties.

Bodies on which post mortem examinations were to be performed after exhumation, were lifted from the grave with special care, the medical personnel themselves often assisting.

After being separated from the mass, each body was lifted from the grave on a stretcher and laid in the clearing. Here each in turn was given an identity number and preliminary identification work, consisting of inspection of clothes, distinctions and any documents found on the body was carried out. The contents of pockets and any decorations, rings, religious medals etc. were at once removed from the bodies and after superficial inspection were put into bags marked with the same number as had been given to the corpse. Afterwards the bodies were subjected to detailed medical examinations and were transferred into fresh communal graves for reburial. Owing to the large number of bodies, post mortems—partial (the head only) or complete—were performed in special cases only, that is on bodies bearing several bullet or bayonet wounds or signs of blows from rifle butts, and on those which were tied up or gagged.

The contents of the pockets and the documents were then submitted to detailed inspection and where necessary to laboratory treatment. The documents were frequently illegible owing to having been soaked in and stuck together by cadaveric fluid, and had therefore to be washed in xylol or chloroform, etc. or treated with ultra red rays etc. (A. M. p. 44).

Amtliches Material does not give very much information concerning the communal graves in which the already examined bodies were reburied after examination. It was only stated that two identified Generals—Bohatyrewicz and Smorawinski—were buried in separate graves and the rest of the bodies, regardless of rank, in the communal area. Professor Buhtz's report states that these fresh communal graves lay to the North-West of the old ones (A. M. p. 42). The report of the Field Police dated 10.6.43 says that the crosses erected on the graves were marked with the numbers 1-6 and that the burial of exhumed bodies took place in the presence of members of the Polish Red Cross. (A. M. p. 34). It is known from information given in "Goniec Krakowski" of 28.5.43 that a member of the Polish Red Cross from Warsaw, Jerzy Wodzinowski, was in charge of the fresh graves, which were dug by Soviet prisoners of war and that the bodies placed in them were marked with consecutive identity numbers with the object of facilitating identification in the event of the bodies being taken to Poland. There is no information as to the exact position of these graves, the number of bodies contained in each grave etc.

#### 19. Description of the seven Katyn graves.

A comparatively accurate description of the seven Katyn graves is found in the report of Professor Buhtz, and references to them are also included in other documents contained in Amtliches Material. On the basis of this information a description of the graves is given below, the German numbering being used. These numbers appear to have been given purely for convenience and they bore relation to the order in which the graves were discovered by the Germans nor to the order in which they were originally dug up.

All seven graves were concentrated in a fairly small clearing in a wood planted with young spruces and sloping towards the South West (see map and sketch attached to p. 308).

*Grave No. 1.* was the largest.<sup>1</sup> It was in the form of the letter "L", the longer arm being 26 metres in length, and 8 metres in width, the shorter arm being 16 metres in length and 5.5 metres in width. According to Professor Buhtz's calculations, the total area of the grave was to about 252 sq. metres.

This grave was probably discovered first, and in any case was the first to be excavated to the bottom. Its depth at the centre part of the longest side was 3.3 metres (about 11 ft.), but it gradually became shallower towards both ends.

According to Professor Buhtz's report, the layer of earth covering the bodies in the graves was as a rule 1.5 metres (5 feet) thick. As a result the bodies in the centre part of the "L" grave occupied 3.3 metres minus 1.5 metres = 1.8 metres. (about 6 ft.) As 12 layers of bodies were found there, it follows that each layer occupied 0.15 metres. This, it should be noted, is a very small space, even if the flattening and compression of the bodies resulting from partial decomposition and

<sup>1</sup> All the measurements in the Amtliches Material are based on the metric system. For the sake of accuracy the calculations on the following pages are also given likewise.

For the readers' convenience, here is a short table of comparative measurements:—

1 metre (m)—3 feet 3¼ inches.

1 decimetre (10th of a metre)—3.94 inches.

1 kilometre (1000 metres)—1093.6 yds.

1 sq. metre—1.2 sq. yd.

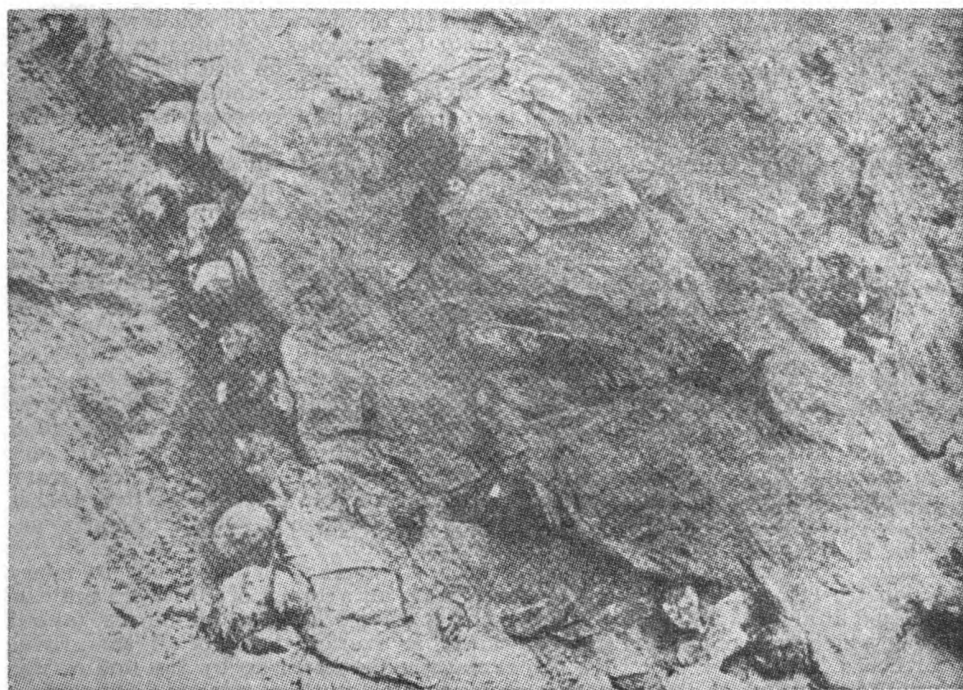
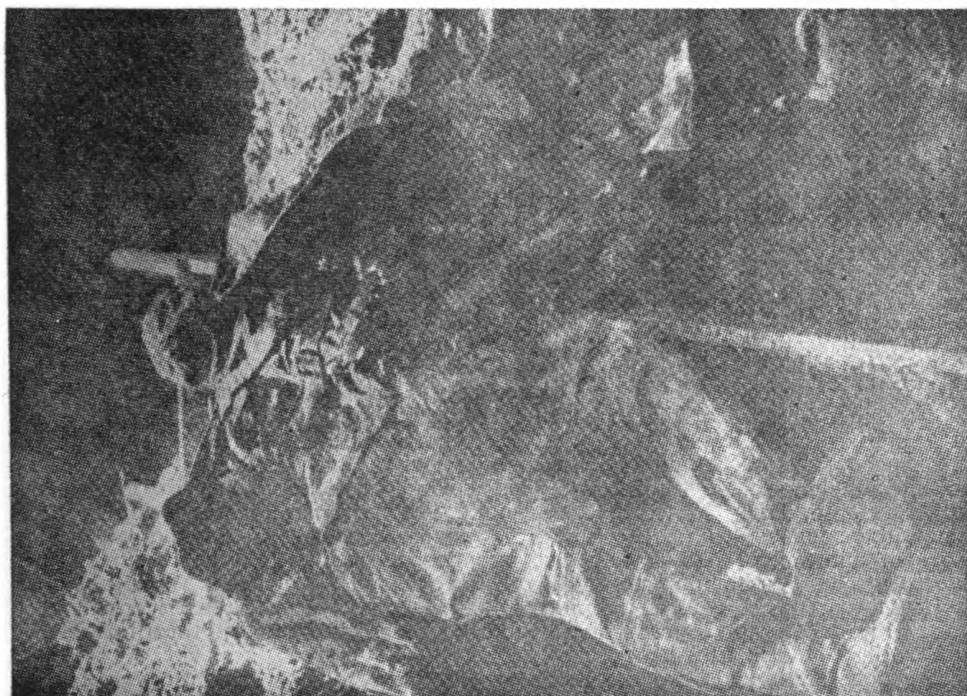
1 cubic metre—1.31 cubic yds. or 35 cubic ft. 547 cubic ins.

from the weight of five feet (1.5 metres) of earth is taken into consideration. In the shallower parts of this grave there were fewer layers of bodies. Thus in the North-Western part there were only 7-9 layers, whose total depth amounted to 0.7 metres (about 2 ft. 4 ins); it follows, therefore, that each layer occupied less than 0.1 metre. (about 4 inches). This shows that the bodies were exceptionally strongly compressed and flattened. (See photograph opposite).

The fact that there were fewer layers of bodies in the shallower parts of the "L" grave explained why its contents, at first estimated at 3,000 bodies, fell to 8,500 in the Medical Commission's report of 30.4.43.







The top layer of grave No. 1 was said to contain "about 250 bodies"; as the area of this grave was about 252 sq. metres, this gives to each body one sq. metre (1.2 sq. yds.) of the area of the grave. If this number is multiplied by 12 layers, we get a total of 3,000. But in the shallower parts of the grave the number of layers was less, descending to 7 and the further question arises, whether all layers of the grave contained equal numbers of bodies. The first reports from Katyn stated the bodies were packed in the graves "like sardines" (see p. 238 and 241 above). No such description is given in Amtliches Material; on the contrary this document definitely mentions that the bodies in the graves were not always arranged in an orderly way and also that they were more closely packed near the edges of the graves, less so in the centre.

As regards grave No. 1, Professor Buhtz's report says that in the Northern part of it the bodies were packed tightly together, even compressed, and that in the centre the heads in each layer were lying on the legs of the layer below, while in the South-Western part the number of layers of bodies became less in proportion to the decrease in the depth of the grave on the falling ground. (See A. M. p. 48).

The description included in the reports of the Field Police differs slightly from that in Professor Buhtz's report. In the report of 10.4.43 it is said that the bodies in grave No. 1 "are for the most part lying in disorder" (A. M. p. 32), the report of 10.6.43 uses the phrase "... in ... Massengräbern geworfen und verscharrt (. . . thrown into . . . mass graves and buried) and "... die Leichen . . . wahllos hineingeworfen wurden. Sie lagen völlig ineinandern verfilzt, nur in den Gräbern I, II und IV waren sie *zum Teil* nebeneinander—und auch übereinandergepackt" ("... the bodies . . . were thrown in at random. They were all mixed up with each other, only in graves I, II, and IV were they in *partly* packed together and also on top of each other"). (Amtliches Material p. 35).

It is apparent, therefore, that not all layers of bodies in grave 1 were in such good order as the top layer; which would reduce still further the total number of the bodies found in it.

Amtliches Material does not mention how many bodies were recovered from each grave, and it is comparatively seldom mentioned (mainly in the report of Professor Buhtz), which bodies were taken from which grave. From an analysis on the numbers allocated to bodies recovered—according to Amtliches Material—from grave No. 1, it appears that those given the numbers 2,743–3,939 were taken from that grave, which gives a total of about 1,200 bodies. Adding to this number the 250 bodies recovered from the top layer during the first period of work (before 24.4.43) and a few dozen others taken during the same period from the lower layers in the course of digging to the bottom of the deepest parts of the grave (see p. 316 above), the number of 1,500 bodies is arrived at. But taking into consideration that the numbers of the bodies referred to in Amtliches Material do not necessarily represent all the numbers allocated to bodies recovered from the "L" grave, and in view of the compression of bodies described in Professor Buhtz's report, it is possible to put the probable contents at 2,250 bodies.

From other references to grave No. 1 in Amtliches Material it is learnt that about 5% of the bodies found in it had their arms tied behind them and that the grave was probably sprinkled with calcium and chloride (Brannt und Chlorkalk, Amtliches Material p. 52 and 53).

*Grave No. 2* was the second largest. It lies about 18 yds. to the South-East of grave No. 1 and measured 20 metres by 5 metres=100 sq. metres. (120 sq. yds.). Amtliches Material does not give its depth. Professor Buhtz's report states that in the North-Western parts of grave No. 2 the bodies were lying in very good order, face downwards and lengthways, but in the centre crosswise, and that there were in some places as many as 12 layers. From the structure of this grave Professor Buhtz concluded that it was dug and filled in three successive phases "... offenbar dem laufenden Bedürfnis entsprechend"—"... clearly according to current needs" (Amtliches Material p. 40).

Taking Professor Buhtz's already mentioned average of one body to every 1 sq. metre (1.2 sq. yds.) the total contents on an average of 10 layers may be estimated at about 1,000. But if depth of the grave No. 2 was 2.3 metres, (about 7½ ft.) which was given by Professor Buhtz, as average depth of all the graves (Amtliches Material p. 49), then the average space taken up by the bodies was barely 0.8 metres (3¼ ins.) which, even reckoning on 0.1 metres (3.94 ins.) to a layer, would only allow for 8 layers at the most, giving a maximum of 800 bodies.

From the numbers quoted in Amtliches Material in respect of bodies taken from grave No. 2, it appears that those bodies were numbered 2,399 to 2,556. But this does not mean that the 157 bodies with those numbers were the only ones taken from this grave. Taking into consideration the above calculation

of the contents of the grave and the probability that a certain number of bodies recovered from it in the first period of work were given lower numbers, it may be assumed that grave No. 2 contained a maximum of 900 bodies.

According to Professor Buhtz the number of bodies with hands tied behind the back in grave No. 2 was negligible.

*Grave No. 3* was situated to the South-West of grave No. 2, measuring 6 metres (about 6 yds. 2 ft.) in length and 3.5 metres (about 3 yds. 3 ft.) in width. Amtliches Material does not give its depth.

Taking an average depth of 2.3 metres (about 7½ ft.) and allowing 1.5 metres (5 ft.) for the top layer of earth, the cubic area of the grave would be 16.8 cubic metres (6 by 3.5 by 0.8). An average of one body to 1 sq. metre and 0.1 metre to each layer of bodies, gives the contents of the grave as 168 bodies.

Amtliches Material does not state how many bodies were recovered from grave No. 3, nor does it mention a single identity number relating to those bodies. In all probability the number of bodies found there did not exceed 200. According to Professor Buhtz's report none of them had hands tied.

*Grave No. 4* lay on the South-Western side of grave No. 3 and had the same measurements as the latter. All bodies found in it were bound and were lying in confusion. (Amtliches Material p. 47). It is therefore probable that the group buried there strongly resisted the death awaiting them. (See above the report of French boys. p. 293.)

In view of the fact that the bodies were lying in disorder, the number in grave No. 4 must have been less than that in grave No. 3 and it therefore probably contained approximately 150–170 bodies.

*Grave No. 5* also lay on the South-Western side of grave No. 3, but as the ground fell in that direction this grave was the lowest and nearest to the marshy ground. After the grave had been opened therefore, water flowed into it more quickly, rising to 0.8 metres (3¼ ins.) from the top. In Professor Buhtz's opinion, at the time when the grave was filled with bodies the level of subsoil water must have been lower. It may be concluded, therefore, that grave No. 5 was originally dug at a period when surface water was low (in the early Spring) and that the Germans excavated it at Spring, when subsoil water was at a higher level.

*Grave No. 5* was the smallest, measuring 4.5 metres by 3 metres=13.5 sq. metres (16.2 sq. yds.). Amtliches Material does not give its depth. Professor Buhtz states (Amtliches Material p. 47) that this grave contained only three layers of bodies, considerably less than the other graves. Only a few bodies had their arms tied. Amtliches Material only mentions the identity number of one body recovered from grave No. 5, i. e. No. 2338 (p. 73).

If Professor Buhtz's average data and his special remarks about grave No. 5 are accepted, the number of bodies in this grave would have been 14 by 3=42, (50–60 at the most).

*Graves Nos. 6 and 7* lay to the South-East of grave No. 4 and ran with the falling ground from North-East to South-West.

*Grave No. 6* measured 12 metres by 4 metres=48 sq. metres (57.6 sq. yds.). This was the shallowest of the Katyn graves; Professor Buhtz gave its depth in the North Eastern part as 2.1 metres and in the South-Western part 1.74 metres. (Amtliches Material p. 40).

In this grave, as in grave No. 4, all bodies had their arms bound. Amtliches Material mentions the number of only one body from grave No. 6, i. e. No. 2094. Taking Professor Buhtz's average data (1 body to 1 sq. metre and the depth of one layer of bodies as 0.1 metre), it could have contained a maximum of 6 layers of 48 bodies each, that is about 290 bodies.

*Grave No. 7* measured 9 metres by 3.5 metres=31.5 sq. metres (37.8 sq. yds.). (Amtliches Material on p. 39 gives its area as 22.5 sq. metres, which is obviously a numerical error). Amtliches Material does not give the depth of grave No. 7.

According to Professor Buhtz's report, on the North-Eastern side of grave No. 7 the bodies were "quergeschichtet im Bauchlage gestapelt" ("lying cross-ways face downwards on top of each other") while on the South-Western side they were "planles durcheinander geworfen und in diesem Zustand verscharrt "worden waren".—"Thrown in at random one after the other and "buried in this state." (Amtliches Material p. 48).

Taking again the average depth of the graves (2.3 metres) and other average data supplied by Professor Buhtz (1 sq. metre to each body, depth of layers 0.1 metre) the maximum number of bodies contained in this grave would be 288.

As Professor Buhtz stated in his report, the bodies in all seven graves were mostly dressed in Polish uniforms, with winter coats, sheepskins, sweaters and

scarves. The majority of letters and newspapers (Russian and Soviet-Polish were dated before the middle of April, 1940. Belts, suits and underlinen properly buckled and buttoned, corresponded to the measurement of the bodies and in many cases were marked with a personal monogram. With a few exceptions (where wounds had been for instance inflicted by a bayonet point) they did not show any traces of fighting. Professor Buhtz was convinced that the bodies had not been moved in the graves and that they were in the clothes they were wearing at the moment of death. The suggestions put forward "von Feindseite" (by the enemy) that they had been put into the uniforms of Polish officers be considered as being technically impossible (Amtliches Material p. 43). In the further course of his report Professor Buhtz once again stated that the bodies bore no traces of insects, that watches and rings had been removed (or were found only in exceptional cases, well hidden—such as, for example, a valuable emerald ring), but that gold teeth and religious medals were found on the bodies, as well as golden crosses and sometimes chains, often small sums of Polish and Soviet money and sometimes foreign currency, purses, cigarette cases and holders bearing the inscription "Kozielsk" and dated 1939 or 1940, personal documents, notes, photographs etc.

**20. How many bodies were contained in the seven Katyn graves?**

The numerical data given in Amtliches Material is quoted here in an attempt to establish the real number of bodies at Katyn.

*A. Estimated figures.*—These figures were contained in the testimony submitted by the Secretary of the Field Police, Voss, on 26.4.43.

At that time only the top layer of grave No. 1, containing 250 bodies, had been opened and it was stated (probably on the basis of excavations made on one side of the centre part of the grave), that it contained 12 layers of bodies. Otherwise it was simply stated that other graves existed, without giving their exact measurements.

In these circumstances Voss estimated the contents of grave No. 1 at 3,000 and the contents of the other graves very freely at 5,000–6,000 making a total of 8,000–9,000 victims, instead of the figure originally given by the Germans 10–12,000.

*B. Maximum Figures.*—The European Medical Commission's protocol of 30.4.43 (see p. 284 above) may be taken here as a basis for establishing the maximum figures. On the one hand it may be taken for granted that the Commission did not estimate the contents of the graves too low, since their figures were accepted by the German authorities, while on the other hand it was more cautious in its estimate than Voss. For while Voss calculated the number of bodies in grave No. 1 as 3,000, the protocol of the Medical Commission estimated the number of bodies in that grave at 2,500. As the area of the grave amounted to 252 sq. metres, it appears that the Medical Commission accepted the general average of 10 bodies to an area of 1 metre (about 1.2 yds) of grave.

It should be pointed out that this is in fact the highest figure that can be taken as an average since:

1. grave No. 1, was, at least in some parts, the deepest of all the Katyn graves.

2. in parts of that grave the bodies were particularly tightly compressed and put in in an orderly way, while in other graves they were often much less tightly packed and in greater confusion.

If, despite these reservations, the average figures accepted by the European Medical Commission are applied to all the graves the following table is obtained:

No. of grave.	Area of grave in sq. metres.	Maximum number of bodies.
1.....	252	2,500
2.....	100	1,000
3.....	21	210
4.....	21	210
5.....	13.5	135
6.....	48	480
7.....	31.5	315
Total.....	487	4,850

4,850 would therefore be the *maximum* number of bodies which could be contained in the seven Katyn graves.

*C. Probable figures.*—An attempt will now be made to establish the probable number of bodies in the seven Katyn graves.

For this purpose the following corrections must be made in respect of the above statements:

1. as the layers of bodies in grave No. 1 amounted to 12 only in the deepest parts and decreased to 7 in shallower parts, a conservative estimate of the average number of layers of bodies should be taken as 9, not 10 as was done by the Medical Commission;

2. a further correction must be made in respect of grave No. 4 where the bodies were in great disorder, and the number of them accordingly less;

3. for grave No. 5 an average of 9 layers of bodies cannot be accepted, as in the description of that grave in Professor Buhtz's report it was distinctly stated that the number of layers of bodies was exceptionally low there—let us therefore accept for that grave the higher number given below in the detailed description, namely 60.

4. finally, in calculating the contents of grave No. 6 it must be taken into consideration that this was the shallowest grave, its depth varying between 2.10 metres and 1.74 metres, which gives an average depth of 1.92 metres, that is about 1/3 less than the depth of grave No. 1, (3.3 metres). Consequently the average number of layers of bodies should be decreased by 1/3 for grave No. 6., which gives us 6 layers.

Bearing these corrections in mind, the following table is obtained:

No. of grave.	Area of grave in sq. metres.	Number of layers of bodies.	Probable number of bodies in grave.
1.....	252	9	2,268
2.....	100	9	900
3.....	21	9	189
4.....	21	-----	160
5.....	13.5	-----	60
6.....	48	6	288
7.....	31.5	9	284
Total.....	487 sq. metres.	-----	4,149

Hence the probable number of bodies in the seven Katyn graves amounted to 4,149.

The estimated number of bodies in the Katyn graves can also be calculated in another way still using the data found in the Amtliches Material as a basis.

The total area of the seven Katyn graves amounted to 487 sq. metres.

The average depth of the graves was 2.3 metres, of which 1.5 metres must be allowed for the layers of earth covering the bodies; the part of the grave filled with bodies would thus be only 0.8 metres in depth.

The total space filled with bodies in the seven Katyn graves would therefore be 487 by 0.8=389.6 cubic metres.

The question now arises, how many bodies could be contained in that space?

In the most compressed part of grave No. 1 the thickness of one layer of bodies was 0.07—0.09 metres, but Amtliches Material (p. 48) emphasises that this is exceptional. If, therefore, 0.1 metre, is taken as the average thickness of one layer of bodies, that would not be excessive average.

As was stated above (see p. 316) the top layer of grave No. 1, which was arranged in a particularly orderly manner, contained about 250 bodies, and as the area of that grave was 252 sq. metres it follows that each body occupied 1 sq. metre.

The average space occupied by one body would therefore equal:  $1 \times 0.1$  metres=0.1 cubic metres.

Dividing the total area occupied by all the bodies, by the average space occupied by one body, the probable number of bodies in the seven Katyn graves is arrived at:  $389.6 \text{ cubic metres} \div 0.1 \text{ cubic metres} = 3,896$ .

This number is comparatively near to 4,149, the figure previously arrived at by the other method of calculation.

It should be stressed that both calculations, giving the probable number of bodies in the seven graves as about 4,000, were based on data derived from Amtliches Material. And as this same source states that 4,143 bodies had been re-

covered from the graves and partly identified by 3.6.43.<sup>1</sup> the implication is that the work of excavating the seven Katyn graves was *not interrupted* on June 3rd, 1943, owing to the summer heat and threatening plague of flies, but was already completed. All seven graves had been entirely emptied of bodies and probably filled in. The Germans hid this fact from the world because it stood in glaring contradiction to the widely proclaimed original statement of German propaganda that the Katyn graves contained at least 10-12 thousand bodies.

The following facts and circumstances confirm this thesis:

1) in the days immediately after their arrival at Katyn, i. e. 10-12th April, 1943, the Polish "delegation" had already gained the impression that the German statement that there were 12,000 Katyn victims was a gross exaggeration. This information was immediately communicated by the Polish Underground Movement to the Polish Government in London (see p. 229 and 244).

2) The figure originally widely proclaimed by the Germans of "at least 10,000-12,000 victims" is only found once in Amtliches Material and this in an anonymous introduction to the documents obviously written with a view to propaganda. (A. M. p. 10).

3) Testifying on oath on 26.4.43, the Secretary of the Secret Field Police, Voss, already estimated the contents of the Katyn graves as low as 8,000-9,000, cautiously adding that he feared that for technical reasons (the marshes) it would not be possible to exhume all those bodies (see p. 311 above).

4) "Telepress Agency" correspondent reported in "Goniec Krakowski" of 28.5.43 that the two first graves, which, it will be remembered, were the largest ones, had been by that time completely emptied of bodies and subsequently filled up.

5) As the work of exhumation progressed, it became increasingly clear that the number of bodies exhumed from the Katyn graves would barely exceed 4,000. The Germans, therefore, fearing that their propaganda would be "compromised", had to look for some means of saving themselves. Amongst other things they again searched the Katyn wood in the hope of finding more Polish graves. This probably explains the sudden discovery of an eighth grave containing bodies of Polish officers on 1.6.43 (see below). Apparently, however, the small number of bodies in this new grave did not really "save" the situation, with the result that the Germans decided on a sudden "interruption" of exhumation work on 3.6.43, having in the discovery of a "new grave" an argument in support of their original propaganda thesis concerning the number of Katyn victims.

6) It is characteristic that while Professor Buhtz's statement gives 3.6.43 as the date of the "interruption" of exhumation work (A. M. p. 40) the introduction to Amtliches Material altered the date of "interruption" of work at Katyn to July: "Bis im Juli die Sommerhitze eine Unterbrechung der Ausgrabungsarbeiten notwendig machte, konnten 4,143 Opfer geborgen und bestattet werden"—"Until July, when the Summer heat necessitated the interruption of exhumation work, it had been possible to recover and bury 4,143 victims." (A. M. p. 10).

It was probably realised that to make the heat at the beginning of June the reason for interrupting work was not very convincing. It should, however, be pointed out that even in July the "heat" referred to in the Introduction is rather rare in the region of Smolensk. The Short Soviet Encyclopaedia (published in 1941, vol. IX p. 806) gives the average temperature for July as 17.6° C (about 63° F).

<sup>1</sup> From among 4,143 exhumed bodies 67.9% were personally identified reckoning on the basis of the ranks in the Polish Forces. There were among the Katyn victims:

Major-Generals	2
Colonels	12
Lt. Colonels	50
Majors	165
Captains	440
1st Lieutenants	542
2nd Lieutenants	930
Paymasters	2
Warrant officers	8
N. C. Os	2
Identified only as officers	101
Identified only as servicemen	1,440
Doctors	146
Veterinary surgeons	10
Priest	1
Civilians	221
Identified only by names	21
Unidentified	50

(From Final Report of Field Police of 10.6.43 A. M. page 33-34).





### 21. *The eighth Katyn grave.*

Professor Buhtz wrote rather generally of the discovery of the eighth Katyn grave, simply stating that experimental excavations had established the existence of large numbers of Russian graves in the Eastern part of the wood and in the region of grave No. 8.

On the basis of previous calculations as to the probable numbers of bodies in the Katyn graves, it may be assumed that when the German authorities realised that the number of bodies in the seven Polish graves was much less than 10,000–12,000, the figures originally given by German propaganda, they started to look for new graves. In the course of this search many Russian graves were found and finally one more Polish grave was discovered on 1.6.43.

The eighth Katyn grave was found about 100 yds. South-West of the first seven graves, on the other side of the marsh. (A. M. p. 40.) It must have been fairly deep, since it was said that the first body was found at a depth of 2 metres (about 7 ft.) Although for various reasons this grave seemed to be of great interest, the Germans said that they had confined themselves to opening only part of it (5.5 x 2.5 metres) and stated that trial excavations showed that it stretched further (the report does not say how far) from North-West to South-East.

Professor Buhtz's report does not even estimate the number of victims contained in the newly discovered grave. It only mentions that the bodies were lying in disorder (A. M. p. 48) and that the 13 bodies of Polish officers recovered from it, partly identified and then reburied in the same grave, were dressed differently to those in other graves in that they were wearing Summer instead of Winter uniforms. The bodies of two officers only were in coats and the rest in tunics, without warm underclothes, sweaters or scarves. Documents found on the bodies were also said to relate to a later period than those found in previous graves.

While the latest date of documents found in previous graves was said to be about the middle of April, 1940, in grave No. 8, were found amongst other things, issues of the Kiev "Glos Radziecki" ("Voice of the Soviet"), dated 26th and 28th April, 1940, containing slogans for the 1st May festival and Russian newspapers, the Smolensk "Rabotchy Put'" ("Way of the Workers") dated 1st and 6th May, 1940.

It should be stressed that in the paragraph which concerns the eighth grave the German report does not sound convincing. How can one reconcile the dimensions of the grave (5.5 x 2.5 metres) with the statement that the "grave stretches further"? In our opinion this last statement was made, in the same way as the communique announcing the "interruption" of the exhumation (see p. 329), in order to uphold German propaganda which was working on the figure of 11,000 Katyn victims. This supposition is further borne out by the following arguments:

If we accept the dimensions of the 8th grave as given in A. M. and the average figures on the basis of which we calculated the probable number of bodies in the seven graves (see pp. 324–6) we can calculate the probable number of bodies in the 8th grave.

If we use the first method (see p. 325–6) we obtain:  $(5.5 \times 2.5) = 13.75$  sq. metres.  $\times 9 = 123.75$  i. e. approximately 124 bodies.

In applying the second method (see page 326) we obtain  $(5.5 \text{ metres} \times 2.5 \text{ metres}) = 13.75$  sq. metres.  $\times 0.8 = 11$  cubic metres:  $0.1 = 110$  bodies.

Therefore we obtain as the probable contents of the grave the figure 124, or, respectively, 110 bodies.

Since it is emphasized in professor Buhtz's report that in the 8th grave the bodies were not arranged in an orderly fashion, and, therefore, they occupied more room, it appears that the latter figure, i. e. 110 bodies is the more likely.

It should be borne in mind that this figure corresponds almost exactly with the number of officers deported from Kozielsk in two transports, on the 10th and 11th May (see p. 48 and 49)—a fact which leads us to suppose that these two transports departed from Kozielsk separately, with an interval of ten days, lie in a separate grave No. 8.

This supposition is confirmed by the fact, mentioned above, that, in this grave newspapers dated 1st and 6th May were found and also by the fact that the bodies in this grave were not wearing winter clothing (see p. 330). It is known from statements of prisoners who left on the 12th of May by the last transport for Pavlishtchev Bor, that the weather suddenly grew warmer during the first days of May and that on the 12th May "the sun was scorching". (See page 72).

Moreover, assuming grave No. 8. to have contained approximately 110 bodies, we find all the "missing" prisoners from the Kozielsk Camp.

It should be remembered that at the moment when its liquidation was started, the camp numbered approximately 4,500 prisoners. Out of this number two

transports totalling 245 people were deported to Pavlishtchev Bor and subsequently to Griazovitz, where they were found. Approximately 2,250 prisoners were missing. (See diagram, page 136). If to the total of 4,143 bodies in the seven Katyn graves we add the figure established for grave No. 8. i. e. 110 bodies, we obtain the figure  $4,143 + 110 = 4,253$  bodies.

*22. Other data from Professor Buhtz's report.*

The section of Professor Buhtz's report devoted to the medico-legal aspects of the Katyn murders was a considerable elaboration and enlargement of the report of the European Medical Commission. Without giving all the medico-legal deductions, a summary of some of the most interesting facts connected with the Katyn murders will be given here.

*A. How long were the bodies buried? Date of the murder.*—Judging by the state of advance in the formation of adipocere on the Katyn bodies (A. M. p. 48 and foll.) and the results of examination of the cerebral matter by Professor Orsós's method (see p. 290 above), Professor Buhtz' came to the conclusion that ". . . pure scientific deductions 'show that the bodies had been lying in the graves . . . at least three years'". (A. M. p. 59).

But as examination of the changes which had taken place in the bodies did not make it possible to establish precisely the date of death, it was necessary to search for supplementary evidence to fix the time of the murder more accurately. In this respect the most concrete and convincing data were supplied, in Professor Buhtz's opinion, by written documents and newspapers found on the bodies, indicating that the murder took place in the spring of 1940.

Attempts to establish the length of time the bodies had been buried on the basis of the degree and the manner of corrosion ("aus dem Grad und der Art der Korrosionen") of metal objects found on them did not, in Professor Buhtz's opinion, give very reliable or convincing results. In his report he gave the example of two aluminium objects (a flash and an identity disk) found on the same bodies and showing entirely different marks of corrosion, probably due to the effect of the immediate surroundings.

In this respect the spruces planted on the graves, in the opinion of Professor Buhtz, provided far more reliable supplementary evidence. As microscopic examination of cross-sections of the trunks of the trees showed equal growth in the three annual rings, while between these and the heart of the tree (Kern) a dark border line (dunkle Abgrenzungs Linie), he drew the conclusion that the trees had been transplanted three years before (i. e. in 1940). As the Russian graves discovered at Katyn were also planted with young trees of the same age as the graves themselves, in Professor Buhtz's opinion, the method of planting the Polish officers' graves proved the time as well as the perpetrators of the crime (see reference 1 on p. 288).

*B. Circumstances of the murder.*—In all cases the cause of death, established by post mortem examinations of the bodies, was a shot in the back of the head. The shot was fired—as was described in detail by Professor Buhtz (A. M. p. 76)—at very close range or even with the pistol pressed to the head of the victim. In many cases the shot was fired through the raised collar of the greatcoat or through the tunic or coat tied round the head of the victim. Only in a few cases, owing to the decomposition of the body after death, the bullet hole was not at first visible during post mortem examination. Normally it was situated at the base of occipital bone (A. M. p. 56). As the hole where the bullet had emerged was normally in the victims forehead, between the top of the nose and the edge of the scalp, the bullet must have passed through the most vital part of the brain. (A. M. p. 57), causing instantaneous death.

On the basis of an analysis of the wounds, the bullets found in a few skulls and of the cartridge cases lying near the graves, Professor Buhtz stated that as a rule 7.65 calibre and in rare cases 6.35 calibre pistols had been used. (A. M. p. 73).

The ammunition was of German origin, from the factory of "Gustav Genschow & Co. in Durlach bei Karlsruhe" (Baden), and bore the trade mark "Geco". Among the bodies in grave No. 2 was found one undischarged cartridge of the same make, an examination which made it possible to state that the ammunition was produced in the years 1922–31. As German "Geco" 7.65 pistol ammunition was exported in large quantities from Germany to countries including Poland, the Baltic States and—in very large quantities up to 1928 and thereafter in smaller quantities—the U. S. S. R., Professor Buhtz was not surprised to find them in the bodies of the Katyn victims. But he left open the question of whether the ammunition was part of that exported from Germany direct to the U. S. S. R. or whether it came from stores seized by the Soviet authorities when they occupied the Eastern territories of Poland (A. M. p. 75).

In certain cases there were two bullet holes close to each other in the victim's skull; in two cases three (or even four) shots had been fired (the record of post mortem examination of body No. 833, A. M. p. 94 and foll.); in one case there was a shot wound on the temple as well as in the back of the head. (A. M. p. 57).

From this it may be concluded that many people took part in the execution and were standing directly behind the backs of their victims. In certain cases they fired twice into the same head. The uniform localisation of thousands of shots in a small area of the occipital bone bore witness to the great skill of the murderers. (A. M. p. 85).

In the opinion of Professor Buhtz, the execution took place near or at the edge of the graves. He rejected, after close analysis, the suggestion that the Polish officers were murdered right inside the pits, either standing or lying on the bodies of previous groups.

In Professor Buhtz's opinion the shots were fired exclusively from ordinary pistols—not, as some people thought, from automatic rifles or even machine-guns—into the heads of the victims, who were in a normal standing position (not kneeling for execution) and probably not expecting death, or were held by both arms at the moment of death. This conclusion obviously relates only to those whose bodies were not found tied up.

A certain number of bodies (all in graves Nos. 4 and 6, about 5% in grave No. 1, and none in graves Nos. 3, 7 and 8) had their hands tied behind them in a most effective manner with strong, uncoloured cord, 3–4 mm. ( $1\frac{1}{4}$  ins.– $1\frac{1}{2}$  ins) thick, which was apparently previously prepared for this purpose and was similar to that manufactured for curtains. The hands were tied in such a way that any attempt to free them would have caused the knot to tighten and increased the pain. The uniform method of binding, in which more or less similar lengths of string were used (1.75 metres to 1.95 metres. 2 yds.–2 yds. 6 ins.) showed great proficiency on the part of the executioners. In many instances the victims, besides having their hands bound, also had their heads completely enveloped in their own tunics or greatcoats, in those cases the tunics or greatcoats were tied tightly round the neck and over the head of the victims with the same cord as was used for tying the hands. This cord was connected with the piece tying the arms in such a way that every strong movement of the hands or head would have tightened the knots and increased the pain suffered by the victim. In a few cases the coats bound round the heads were full of sawdust, which had also filled the mouths of the victims. Apparently those who resisted the death awaiting them, mostly young and seemingly energetic people, were bound in this way. Prof. Buhtz concluded that from the medico-legal point of view this method of binding the victims, which to a great extent hindered their breathing constituted a particularly refined form of torture before death. (A. M. p. 90).

Professor Buhtz also considered the bayonet wounds inflicted (by four-edged Russian bayonets) on the victims before death to be a form of torture, and was of the same opinion with regard to the blows of rifle butts or fists which broke, in a very expert manner, the lower jaws of victims who seemingly cried out in the face of death. (A. M. p. 53, 90 and foll).

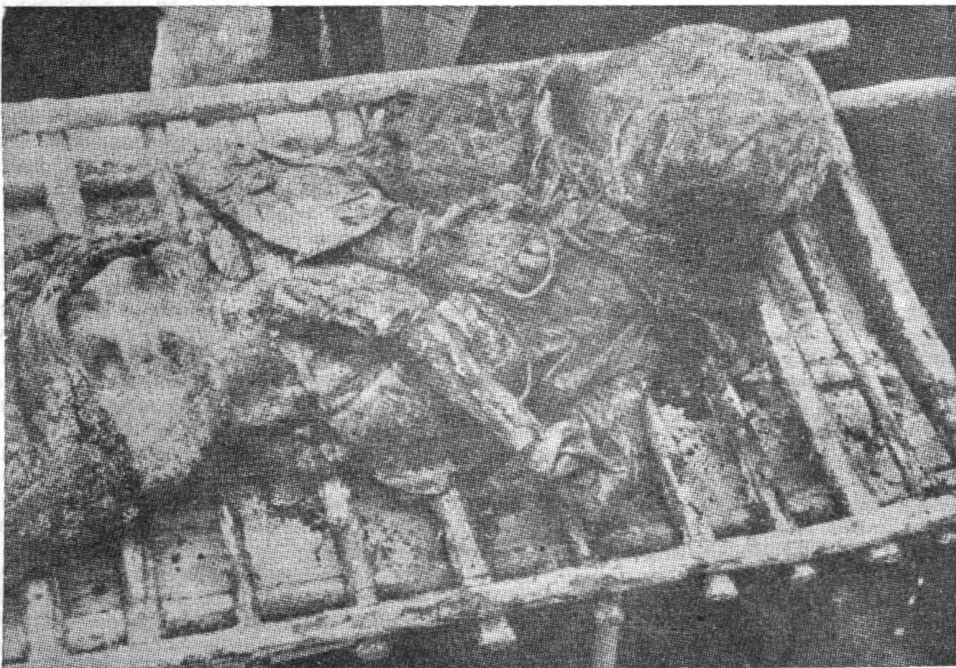
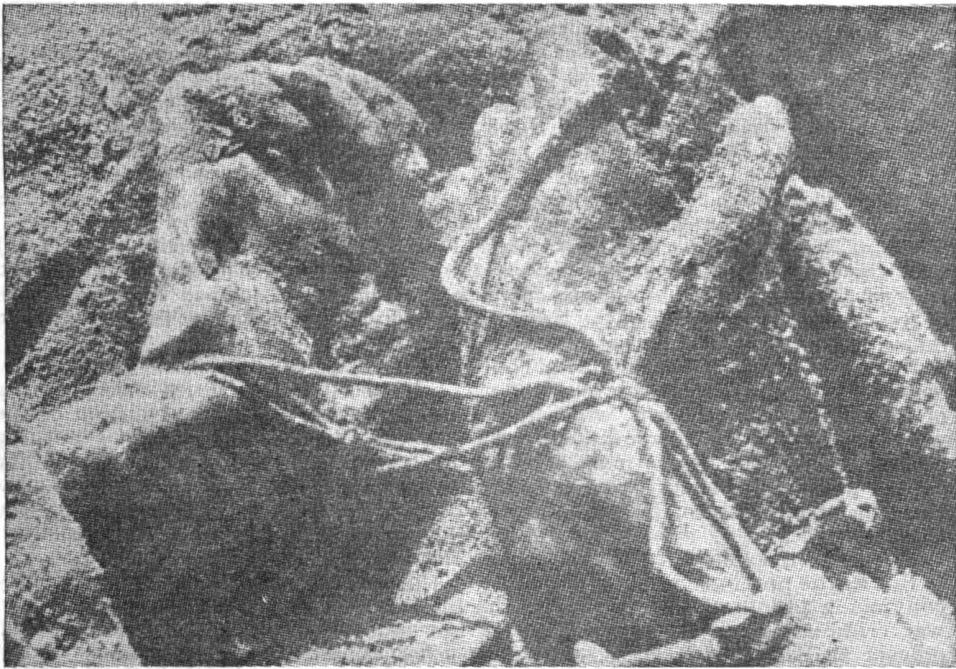
#### CHAPTER XXI. THE RUSSIAN VERSION—"THE TRUTH ABOUT KATYN"

##### 23. *Moscow Declaration on the punishment of war criminals.*

Very soon after the publication of Amtliches Material, the German Army was driven from the Smolensk region. After unusually heavy fighting the attacks launched by General Sokolowski's Army on Jartsevo and by General Jeremienko's Army on Duchovshchizna on 15.9.43 lead to the capture of Smolensk by the Soviet armies on 25.9.43. Soon afterwards they also retook the region of the Katyn graves, with the result that the "resumption" of the exhumations which the Germans had declared would take place in the Autumn became impossible.

The publication of the A. M. was therefore the "swan song" of German propaganda about the Katyn affair. For some months the Germans had used it to shock public opinion in Europe and the world but how they allowed it to fade out and by October 1943 almost nothing was heard of it. Neither was it taken up by the Soviets who, having now got possession of the material evidence of the world-famous crime, were probably entirely pre-occupied with the more fundamental problems arising out of the liberation of the vast Soviet territories.

It appears however, that this matter had not been entirely forgotten at that time. Moreover it is quite possible that diplomatic circles were much pre-occupied with it. The fact that the public conscience was deeply impressed by the Katyn affair is shown by a characteristic incident which in November 1943



intrigued world public opinion. In the last fortnight of October 1943 the first of the conferences of the Foreign Ministers of the Allied Powers at this time Cordell Hull Eden and Molotov—was held in Moscow. A special Declaration giving full warning to the German war criminals and signed by Roosevelt, Churchill and Stalin was issued on 1.11.43 together with the communiqué on the results of the conference which was simultaneously published in Moscow, London and Washington. When the text of this Declaration was cabled from Moscow, it was stated that the Allied Powers had proclaimed that all war criminals would be pursued "to the uttermost ends of the earth" and that they would be delivered to "their accusers in order that justice may be done". Among these war criminals were included "Germans who took part in the mass shooting of Polish officers".

About 3 weeks afterwards the British Foreign Office announced (on 19.11.43) that the text published in London contained 2 errors on account of mutilation in transmission, and thus differed from the correct text issued in Moscow. One of these errors was the use of the word "Polish" instead of "Italian" in the sentence referring to the mass shooting of officers (quoted above).

It is quite possible that an official coding or decoding the text of the Declaration, or the telegraphist who dispatched it, was so preoccupied with the mass shooting of Polish officers at Katyn, which had a month before held the attention of the whole world, that he automatically wrote "Polish" instead of "Italian"—nothing having been heard of the mass shooting of Italian officers. But the possibility cannot be excluded that it was really in the interests of the U. S. S. R., representatives to introduce into the official declaration of heads of the government of the three Great Powers a sentence establishing in advance, though not explicitly, the German responsibility for the Katyn murder.

But as the previous Soviet statements on this matter did not contain sufficiently convincing proofs of German guilt, the final official text of the Declaration on war criminals referred neither directly nor indirectly to the murder of Polish officers at Katyn.<sup>1</sup> It stated that war criminals would "be sent back to the countries in which their abominable deeds were done in order that they may be judged and punished according to the laws of these liberated countries . . . thus Germans, who take part in wholesale shootings of Italian officers or in the execution of French, Dutch, Belgian or Norwegian hostages, or of Cretan peasants, or who have shared in the slaughters inflicted on the people of Poland or in the territories of the Soviet Union which are now being swept clear of the enemy will know that they will be brought back to the scene of their crimes and judged on the spot by the people whom they have outraged."

The fact that the communiqué issued after the Moscow conference did not refer to the Polish problem did not mean that the question was not discussed there. Since the severing of diplomatic relations with the Polish Government by the Government of the U. S. S. R. in April 1943, Anglo-Saxon diplomacy had made many efforts to settle this problem which was proving extremely embarrassing for the Allies. In January 1944, when the Soviet Army crossed the Polish-Soviet frontier established by the Treaty of Riga, the Polish question flared up once again. Yet another exchange of official declarations of the Polish and Soviet Governments ended with the declaration by the Soviet TASS Agency on 17.1.44 that the Soviet Government could not enter into diplomatic negotiations with a Government with which it had broken off diplomatic relations "because of its active participation in the hostile, anti-Soviet, slanderous campaign of the German invaders in connection with the alleged murders of Katyn."

At the same time it was announced in Moscow that an official Soviet Commission "formed by a decision of the Extraordinary State Commission for Ascertaining and Investigating Crimes Committed by the Germans" had investigated the circumstances of the shooting of Polish officers in the Katyn forest and that its findings would be announced shortly.

As the Katyn affair had been the formal reason for the severing of Polish-Soviet relations, Anglo-Saxon diplomats who were striving to close the breach in the Allied camp, probably found themselves continually confronted with it. It is possible, therefore, that the Soviet Government suddenly became aware of the necessity of being able to produce official and formal proofs that the Katyn murder was perpetrated by the Germans.

A session of the "Special Commission for Ascertaining and Investigating the Circumstances of the Shooting of Polish Officer Prisoners by the German-Fascist

<sup>1</sup> It is essential to note that many Anglo-Saxon writers when referring to the Moscow Declaration overlooked the official correction of the text and that there exist, therefore, published references to punishment of "Germans who took part in the mass shooting of Polish "officers." See, among others, George Creel, War criminals and Punishment, Hutchinson, New York and London 1944 and 1945. p. 68.



Invaders in the Katyn Forest" was therefore called in Smolensk and in order that the necessary medical-legal evidence might be obtained, instructions were issued for the re-exhumation of the Katyn victims despite the fact that, as it was the coldest month in the year, the earth was completely frozen and deep in snow.<sup>1</sup>

The Report of this Commission, dated 24.1.44, and entitled "The Truth about Katyn"<sup>2</sup> furnished the necessary proofs. The Soviet version of the Katyn murder based on this report and on additional material supplied by journalists who were present during the session of the Special Commission is given in this Chapter.

#### 24. *The Soviet Special Commission and its work.*

By a Decree of the Supreme Council of the U. S. S. R. dated 2.11.43, an "Extraordinary State Commission for Ascertaining and Investigating the Crimes committed by the German Fascist Invaders and their Associates" was set up. The Extraordinary Commission was composed of:

##### Chairman:

H. M. Shvernik—well-known Trade Union Leader, President of the Soviet of Nationalities of U. S. S. R., Member of the Polit-bureau of the Communist Party of the U. S. S. R.

##### Members:

N. N. Burdenko—Academician—Surveyor;

B. R. Wedeneyev—Academician;

W. S. Grysodubova

A. A. Zdanov—III Secretary of the Central Committee and Member of the Politbureau of the Communist Party of the U. S. S. R.;

Nikolai—Metropolitan of Kiev and Halich;

T. D. Lysienko—Academician—Botanist;

E. W. Tarle—Academician—Historian;

A. N. Tolstoy—Academician—Author;

I. P. Trainin—Academician—Jurist.

Article 3 of this Decree authorised the Extraordinary State Commission "to entrust the appropriate organisations with the investigation and interrogation of those who have suffered and with the collection of testimonies and other documents referring to the violations, brutalities, plunder, destruction and other criminal deeds perpetrated by the Hitlerite invaders and their accomplices, and to order the local State organisations to collaborate with the Commission by all possible means". (A "Soviet War News" Pamphlet—Investigation of Nazi Atrocities, Decree of the Supreme Soviet of the U. S. S. R.)

In accordance with this article, the Extraordinary State Commission, in a resolution of undisclosed date, set up a "Special Commission for Ascertaining and Investigating the Circumstances of the Shooting of Polish Officer Prisoners by the German Fascist Invaders in the Katyn Wood." (The first mention of this "Special Commission" was made in Moscow on 17.1.44—See above).

The composition of this Special Commission, according to its Report, was as follows:

##### Chairman:

M. N. Burdenko—surgeon and Academician, Member of the Royal Society and of the American Medical Associations.

##### Members.

A. N. Tolstoy—Academician—Author;

Nikolai—Metropolitan of Kiev and Halich;

Lt. Gen. Gundurov—President of the All-Slav Committee;

S. Kolesnikov—Chairman of the Executive Committee of the Union of Red Cross and Red Crescent Societies;

W. Potemkin—Peoples' Commissar of Education of the Russian S. F. S. R., Academician;

Col. Gen. E. Smirnov—Chief of the Central Medical Administration of the Red Army;

B. Mielnikov—Chairman of the Smolensk Regional Executive Committee.

<sup>1</sup> That the calling of this session of the Special Commission at Smolensk was entirely unexpected and sudden, was borne out by Jerzy Borejsza, the special correspondent, of "Wolna Polska" the official organ of the Union of Polish Patriots in Moscow. This reporter having been sent to Smolensk in a great hurry by special car wrote in his article as follows: "Late at night on January 21st, 1944, we received in Moscow news that on the following day the Special Commission for investigating the circumstances of the murder of Polish Officers and soldiers in the Katyn wood was to interrogate at Smolensk witnesses of the thousand-fold murders." Sladami zbrodni ("On the Tracks of the Crime")—"Wolna Polska" No. 4/45, dated 1.2.44.

<sup>2</sup> In the following pages we are referring to the English text of the Report published in London as a "Supplement to the Soviet War News Weekly."

It appears from the Report of the Special Commission that a member of the Extraordinary State Commission, N. N. Burdenko, together with his collaborators and medico-legal experts (none of whom are named in the Report), proceeded to Smolensk on 26.9.43, that is on the day following the capture of that city by the Red Army, and for a period of nearly four months "carried out preliminary study and investigation of the circumstances of all the crimes perpetrated by the Germans."

► The vast amount of material collected in those four months defined as "study and investigation" in the Report, was then put at the disposal of the Special Commission, operating under the Chairmanship of the same Burdenko.

The Special Commission started work on an undisclosed date, and in order to accomplish the task assigned to it summoned, on a date also not disclosed in the Report, the following medico-legal experts to participate in its work:

W. Prozorovsky—Chief Medico-Legal Expert of the Peoples' Commissariat of Health Protection of the U. S. S. R., Director of the State Scientific Research Institute of Forensic Medicine under the Peoples' Commissariat of Health in the U. S. S. R.;

Dr. of Medicine W. Smolyaninov—Professor of Forensic Medicine at the Second Moscow Medical Institute;

Dr. Semenovskiy—Senior Staff Scientist at the Thanatology Department of the State Scientific Research Institute of Forensic Medicine under the Peoples' Commissariat of Health Protection of the U. S. S. R.;

Dr. W. Shvaikova—Assistant Professor Senior Staff Scientist of the Chemico-Legal Department of the State Scientific Research Institute of Forensic Medicine under the Peoples' Commissariat of Health Protection of the U. S. S. R.;

Prof. D. Voropayev—Chief Pathologist of the Front, Major in the Medical Service.

According to the Special Commissions Report "it verified and ascertained on the spot that 15 kilometres from Smolensk, along the Vitebsk highway, in the section of the Katyn Forest named 'Kose Gory', 200 metres to the South-West of the highway in the direction of the Dnieper, there are graves in which Polish war prisoners shot by the German occupationists were buried. On the order of the Special Commission, and in the presence of all its members and of the medico-legal experts, the graves were excavated."

All this took place, according to the "Protocol of the Medico-Legal Experts investigation" included in the Report of the Special Commission, on Sunday, 16th January, 1944. During the next week, between Sunday, 16th January and Sunday, 23rd January, 1944, the Commission of Medico-Legal Experts with the aid of the following medical personnel:

Major Nikolsky, of the Medical Service, Chief Medico-Legal Expert of the Western Front;

Captain Bussoyedov, of the Medical Service, Medico-Legal Expert of the X. Army;

Major Subbotin, of the Medical Service, Chief of Pathological Anatomy Laboratory No. 92;

Major Ogloblin, of the Medical Service;

1st Lieut. Pushkareva, of the Medical Service, carried out the exhumation and medico-legal examination of 925 bodies from "a communal grave" measuring, according to the report of the experts, "about  $60 \times 60 \times 3$  metres" and also from "another grave about  $7 \times 6 \times 3\frac{1}{2}$  metres."

From the medico-legal experts' conclusion it appears that these were not original graves only now discovered, but were the so-called communal graves in which the bodies of the Katyn victims had been reburied after their exhumation by the Germans in 1943 as paragraph (c) of the experts conclusion read: "slits in the pockets, pockets turned inside out, and tears in them discovered during examinations of the clothing, show that as a rule all the clothes on each body (greatcoats, trousers, etc.) bear traces of searches effected of the dead bodies."

Confirmation of this fact is found in the following paragraphs of the same conclusion:

1. "After the opening of the graves and exhumation of the bodies and their exposure to the air, the corpses were subject to the action of warmth and moisture in the late summer season of 1943. This could have resulted in a vigorous progress of decay."

2. "The commission of medico-legal experts . . . regards the fact of the discovery by the commission of medico-legal experts, in the clothes on the bodies, of valuables and documents dated 1941, as proof that the German Fascist author-

ities who undertook a search of the bodies in the Spring-Summer season of 1943 did not do it thoroughly . . . ."

3. "The Commission of medico-legal experts notes that in 1943 the Germans had made an extremely small number of post mortem examinations of the bodies of the shot Polish war prisoners."

The fact that there is no accurate description of the fresh communal graves in the German documents (see above) make it impossible to check whether the measurements of 60 X 60 X 3 metres, given in the "Protocol of the medico-legal Experts' investigation" corresponds to the measurements of all six communal graves dug in the spring of 1943 or only to one of those graves. It may however, be assumed that these measurements are those of the complete new cemetery comprising the 6 communal graves in which the Katyn bodies had been reburied by the Germans—of which only one was re-opened by the Russians.

"Simultaneously with the excavation of the graves and examination of the bodies", continued the Report of the Commission, "the Special Commission examined numerous witnesses among local residents, whose testimony establishes with precision the time and circumstances of the crime committed by the German occupationists".

It appears from an analysis of the report that it is based primarily on the testimony of witnesses.

According to Borejsza's report previously quoted from "Wolna Polska", the Special Commission began the examination of witnesses on January 22nd or even 23rd 1944, as his report contains the following sentence:

"We now return to the session of the Commission, where Academician Burdenko is just calling the first witness".

Apparently, however, not all of the over 100 witnesses mentioned in the final general "Conclusions of the Special Commission" were examined during its public sessions as the final report on its work was already drawn by 24.1.44 and as the examination of such a large number of witnesses in 2 or 3 days would have been completely impossible.

Jerzy Borejsza reported that about 20 foreign journalists and observers were present at the public sessions of the Special Commission and inspected the excavated Katyn graves. Among them were:

Miss Harriman, daughter of the United States Ambassador to the U. S. S. R.;

Mr. Al. Worth of London B. B. Co.;

Mr. Cassidy, of the Associated Press Agency;

Mr. Lawrence of the New York Times;

Mr. Duncan-Hooper of Reuters;

Prof. Davies of the Toronto Star;

Correspondents of the United Press, News Chronicle etc.

## 25. *The Katyn wood and Polish prisoners of war in special camps.*

The Report of the Special Commission opened with the statement that "the Katyn forest had for long been the favourite resort of Smolensk people, where they used to rest on holidays. The population of the neighbourhood grazed cattle and gathered fuel in the Katyn forest. Access to the Katyn Forest was not banned or restricted in any way".

The Special Commission recalled as a proof of this statement the fact that "even in the summer of 1941 there was a Young Pioneers Camp of the "Industrial Insurance Board in this forest, and it was not liquidated until July 1941." But the Report said nothing of the site of that Pioneers Camp in the Katyn wood and as it extended over a fairly large area and consisted of different parts, some of them bearing separate names (see p. 308 above), the mere fact of a Pioneers camp having existed in one part of the wood and not having been liquidated "until July, 1941" did not exclude the possibility of other parts having been used for different purposes. The fact that the various parts of the Katyn wood were called by different names was confirmed in the last paragraph of Chapter I of the Report, which said that "the part of the Katyn Forest named Kose Gory was guarded particularly strictly" by the Germans. The Report of the Special Commission definitely failed to mention how far that Pioneers camp lay from the "Rest House of the Smolensk Administration of the Peoples' Commissariat of Internal Affairs." (N. K. V. D.)

The Report went on to refer to the Polish prisoners who were alleged to have been in the Smolensk area when it was taken by the Germans in 1941. Except however for a vague reference in the testimony of one of the witnesses (Savatiexev—see below) to the fact that those prisoners were brought to the region of Smolensk in the spring of 1940 and were disembarked at the Gniezdovo station, it confined

itself to stating that "Polish war prisoners, officers and men, worked in the Western district of the Region, building and repairing roads" and that they were "quartered in three special camps named: Camp No. 1. O. N., Camp No. 2. O. N. and Camp No. 3 O. N. These camps were located 25-45 kilometres (about 15½-28 miles) West of Smolensk".

Unfortunately the Report made no mention of such important and essential points as:

1. the general number of Polish prisoners who were supposed to have been in that region in 1941;
2. the number of prisoners in each of the three camps;
3. the Polish military ranks of the prisoners, which should have presented no difficulty to the Soviet authorities in view of the detailed records made in the camps;
4. the actual site of each of those camps, which could have been named after the geographical names of the places in which they were supposed to have been situated instead of being referred to only by numbers.

The report also did not explain why those particular P. O. W. camps for Polish officers and soldiers near Smolensk were called "special" camps, nor did it give any indication of specialized features that might have distinguished them from other "ordinary" P. O. W. camps.

In general there was no answer to be found in the Report to the many questions which naturally arose if, as the Soviets maintained, the Polish P. O. W.'s from Kozielsk, Starobielsk and Ostashkov had been moved to "special camps" in the Smolensk area:

1. Why, in 1940 and 1941, 97% of Polish officers captured by the Soviets were detained in the special camps Nos. 1 O. N., 2 O. N., and 3 O. N., and engaged in "building and repairing roads", while the remaining 3%, at that time in the camp at Pavlishtov Bor and subsequently at Griazovietz, were exempt from all forced labour?

2. Why—as appears from an article by Warrant Officer Marian Klimczak entitled "I was a prisoner in the Katyn Forest", published in No. 7/48 of the Moscow "Wolna Polska" of 24.2.44—were the prisoners in camp No. 2 O. N. (in which the author of the article is supposed to have passed "a certain time" in 1941 with "a group of 300 persons" (kept on normal rations for Soviet correctional labour camps which depended on the results of their work, while those in the camps of Pavlishtshev Bor and Griazovietz were receiving full rations regardless of the fact that they did no work?

3. Why did families in Poland receive no news for eighteen months from Polish prisoners of war in special camps Nos. 1 O. N., 2 O. N., and 3 O. N., while they were able to correspond comparatively freely with the prisoners of war at Griazovietz?

4. Why, in camps Nos. 1 O. N., 2 O. N., and 3 O. N., did Generals and staff officers have to work at "building and repairing roads" while in other camps such officers were not only exempt from all work but had batmen and even adjutants assigned to them.

5. Why and for what purpose were even invalids and people with artificial arms and legs transferred from Kozielsk to these "special" camps? And why were prisoners sent to these special camps for building roads without regard to their age or state of health, among them people over 60 years of age, while from the camp for internees at Kozielsk (Kozielsk III) only those pronounced fit for work by the medical commission were sent to labour camps. (See pp. 53-54.)

6. Why, if, in the period from October, 1940, when in the P. O. W. camp of Griazovietz and the camp for internees at Kozielsk the Soviet authorities were taking steps to find people to organise the already planned "Polish Division" or Army (see Ch. VII above) were similar steps not taken in "special camps Nos. 1 O. N., 2 O. N., and 3 O. N." which contained 97% of Polish officer prisoners of war?

7. Why, finally, were such large numbers (over 10,000) of Polish prisoners of war, particularly officers, concentrated for the work of "building and repairing roads" in the Western district of the Smolensk region, when—as is stated in the Short Soviet Encyclopaedia, pub. 1941, vol. IX p. 810—the lines of communication in the region of Smolensk, were as fully developed as in any place in the whole Soviet Union.

#### *26. Question of the impossibility of evacuating Polish Prisoners of War and their capture by the Germans.*

The Report of the Special Commission went on to explain why Polish prisoners of war from the three "special" camps in the Western areas of the Smolensk region had not been evacuated before the German advance. It stated that: "Testi-

mony of witnesses and documentary evidence establish that after the outbreak of hostilities, in view of the situation that arose, the camps could not be evacuated in time and all the Polish war prisoners, as well as some members of the guard and staff of the camps fell prisoner to the Germans."

The "documentary evidence" mentioned in the foregoing paragraph was neither quoted in the Report of the Special Commission, nor discussed in any detail, so that we know nothing about it. As far as statements of witnesses in this matter are concerned, the Report quoted two of the depositions:

"The former Chief of Camp No. 1 O. N. Major of State Security Vetoshnikov interrogated by the Special Commission testified:

"I was waiting for the order on the removal of the camp, but communication with Smolensk was cut. Then I myself with several staff members went to Smolensk to clarify the situation. In Smolensk I found a tense situation. I applied to the chief of traffic of the Smolensk section of the Western Railway, Ivanov, asking him to provide the camp with railway cars for evacuation of the Polish war prisoners. But Ivanov answered that I could not count on receiving cars. I also tried to get in touch with Moscow, to obtain permission to set out on foot, but I failed. By this time Smolensk was already cut off from the camp by the Germans, and I did not know what happened to the Polish war prisoners and guards who remained in the camp."

"Engineer Ivanov, who in July 1941 was acting Chief of Traffic of the Smolensk Section of the Western Railway, testified before the Special Commission:

"The Administration of the Polish War Prisoners' Camps applied to my office for cars for evacuation of the Poles, but we had none to spare. Besides, we could not send cars to the Gussino line, where the majority of the Polish war prisoners were, since that line was already under fire. Therefore, we could not comply with the request of the Camps Administration. Thus the Polish war prisoners remained in the Smolensk region."

The report did not mention if both these witnesses were interrogated during the public session of the Special Commission. Jerzy Borejsza, special correspondent of the "Wolna Polska" mentioned in his report "On the trail of the crime" only Ivanov's depositions and he quoted from it extremely important and essential factual details, which were entirely omitted in the report of the Special Commission.

"The former stationmaster of Gnezdovo" (the Report of the Special Commission referred to Ivanov as the acting Chief of Traffic of the Smolensk Station). Ivanov, a precise, neat old man, recalled the circumstances of the evacuation of Smolensk. On 12th July 1941 he was asked by the Chief of one of the Polish war prisoner camps to extend to him facilities to evacuate the war prisoners. But the German offensive was so rapid that it was impossible even to evacuate certain factories and some of the workers. "How many waggons were you asked to provide for the prisoners"—I asked. "I was asked for at least 40 waggons"—replied Ivanov . . ."

This quotation shows, that the Soviet journalist succeeded in recording a very important detail from the testimony of the witness Ivanov—a detail completely ignored in the report of the Special Commission—namely the *date* on which he was supposed to have been approached by the chief of the War Prisoner Camp with the request for waggons.

The synthetic German communiqué of the 7th August 1941 states that "on 11th July we captured Vitebsk.

On the next day flying columns attacked on a far-flung front East of the Orsha-Smolensk road."

This attack cannot have been very successful and could not have advanced very rapidly, since it was not until the 15th of July that the German communiqué stated that "the last fort on the Easternmost point of the Stalin Line in the Vitebsk region has been captured." This is also borne out by Soviet communiqué of the 13th, 14th, and 15th July, which spoke of stubborn fighting "in the direction of" or "in the sector of" Vitebsk and the Soviet communiqué of the 16th July stated that "near Vitebsk enemy attempts to penetrate this region have failed completely."

In the light of the communiqués by both combatants the situation on the 15th July 1941 appeared to have been as follows: stubborn fighting was going on in the region of Vitebsk and Orsha, while pressure of the German forces to the East was—according to the Soviet communiqué of the 16th July—being successfully held or, at least, delayed.

If at the same time we bear in mind the fact that according to the Soviet version the three "special" Polish war prisoner camps were supposed to have been

situated at a distance of 15–28 miles West of Smolensk, i. e. 50–62 miles East of Vitebsk, we cannot but conclude that it would have been possible to evacuate these camps as late as the 15th July 1941.

The German communiqué of the 17th July speaks of the capture of Smolensk but the Soviet communiqué of the 23rd July states that "Smolensk continues to be held, "German formations which had reached it several days previously, have been rejected." It may be assumed, therefore, that the German communiqué of the 17th July was not quite accurate and that on the 16th July only some light German units had reached Smolensk and had possibly entered the outskirts of the city—a fact which supplied the Germans with a foundation for the communiqué about the capture of the city. This hypothesis is confirmed by the historians W. E. D. Allen and P. Muratov, who say that German units were in the region of Smolensk as early as the 17th July, but remark that "it was not the end but only the beginning of the battle of Smolensk."

The battle of Smolensk, during which there were no major moves by either army, continued for two weeks. As late as the 28th July, the German communiqué states:

"The Battle of Smolensk is nearing a favourable conclusion" but it was not until 6th August that the Germans published a special communiqué announcing the completion of this operation and describing its course.

This short summary of the military operations in the sector of Smolensk suggests without any doubt that, not only on the 12th July, but even on the 13th, 14th and probably also on the 15th July the "special" camps might have been evacuated on foot, without any difficulty. These camps could easily have been transferred in one day to the city of Smolensk, some 15½–28 miles distant, after which there would have been two weeks in which to evacuate them further, no matter how slowly, under cover of the armies fighting in the battle of Smolensk. During that fortnight they might have easily marched to some railway station which was still functioning, or even gone on foot to Moscow, which was only about 187 miles away. In any case such a march would have been much shorter and less exhausting than the long marches, lasting many weeks and covering distances of several hundred miles, done by other Polish prisoners-of-war, such as e. g. the march from Brody to Złotonosz (see reference on pp. 99–100).

The question arises, therefore, why the commandant of the Special Camp No. 1 O. N., major of the N. K. V. D. Vetoshnikov, who on an unspecified date left "together with several staff members" the camp entrusted to his care and made attempts in Smolensk on the 12th July to secure waggons, did not return during the period of three, four or more days between the 12th July and the capture of Smolensk by the Germans. The assertions of Vetoshnikov that he had unsuccessfully tried to get in touch with Moscow in order to receive from the Central Authorities "permission to start on foot" are not convincing. In the face of the enemy and in direct danger one would expect a senior officer to show initiative and not to wait passively for orders or "permission" from his superiors, especially in this case since the railway network in the Smolensk region was particularly well developed.

It is extremely odd that such ill luck should have haunted the three "special" camps of the Polish officer P. O. Ws. Situated on the most important sector from an operational point of view, distant only by 200 miles from the chief dispositional centre, Moscow, and by more than 350 miles from the boundary of "Soviet-German interests" in a region which was captured by the enemy at the earliest of the 24th day of the war—it was still not possible to evacuate them. The senior authorities, of whom very many were stationed in this important sector, forgot all about them, and their immediate superiors proved criminally negligent. Silently, entirely without publicity, all of them apparently fell into German hands and no trace was ever found of them until the discovery of the bodies in the Katyn graves.

This particular misfortune becomes even more amazing when we recall the fate of other Polish Prisoner of War camps (see pages 99–100). The Skniłow Camp near Lwów, 40 miles from the Soviet-German frontier, situated in a region which the Germans captured a few days after the outbreak of the war, was successfully evacuated on foot to Złotonosha on the Dnieper and thence by rail; it was not forgotten by the superior authorities in spite of the fact that it was some 800 miles distant from Moscow. The Brody Camp, in a region which the Germans reached on the 2nd of July (and distant by 65 miles from the Soviet-German frontier) also was successfully evacuated to Złotonosha, although it was situated right off the beaten track, far from any large town or the G. H. Q. of senior authorities.



More such examples, could be given but taking these two alone into consideration the fate of the three "special" camps near Smolensk becomes so unintelligible, that the question whether these camps really existed spontaneously arises, especially since, up to the time of the publication of the Soviet communique of the 15th April 1943 no one was aware of the presence of special Officers' Camps in these regions.

The Special Commission evidently realized that such a doubt must of necessity arise in the minds of critical observers, and, therefore, after quoting the statements of the two witnesses, given above to the effect that it was not possible to evacuate the Polish P. O. W's from the Smolensk region in the period around the 12th July 1941—it made a special effort to prove that some Polish prisoners of war had actually been living in the neighbourhood of Smolensk after it was captured by the Germans. They interrogated as many as fourteen witnesses on this subject.

"The presence of the Polish war prisoners in the camps in the Smolensk Region is confirmed by the testimony of numerous witnesses who saw these Poles near Smolensk in the early months of the occupation up to September 1941 inclusive."

The Report gave first place to the statement by Maria Sashneva, an elementary school teacher in the village of Zenkovo, probably regarding her testimony as the most important since it is supported by a specific "documentary evidence".

Sashneva told the Commission that in August 1941, she sheltered for one night a war prisoner whom she immediately identified by his uniform to be a Pole, as during 1940 and 1941 she used to see groups of Polish prisoners of war working the road under guard. As Sashneva was a teacher, she took an interest in this Pole, who told her that he had been an elementary school teacher in Poland. From a conversation Sashneva learned that he was a Lieutenant of the reserve, taken prisoner by the Soviet at Brest Litovsk and that "he had spent over a year in the camp at Smolensk." Evidently the Pole did not tell her the name of the locality where his camp was situated, since Sashneva did not mention it. She heard however, from him many particulars and in particular told the Special Commission that "when the Germans arrived they seized the Polish camp and instituted a strict regime in it. The Germans did not regard the Poles as human beings. They oppressed and outraged them in every way. On some occasions Poles were shot without any reason at all. He decided to escape. Speaking of himself, he said that his wife, too, was a teacher and that he had two brothers and two sisters . . ."

After quoting this statement the Report of the Special Commission added that "On leaving the next day the Pole gave his name" which Sashneva wrote down. She showed the book where she had noted it to the Special Commission which quoted in its Report "that in the book entitled 'Practical Studies in Natural History' by Yagodovsky, there was a note on the last page saying 'Juzeph and Sofia Loek, House 25, Ogorodnaya St., town Zamostye'".

Since among the several thousands of names published by the Germans in A. M. the name "Jozef Lojek" was also found under the file number 3796, the Special Commission, convinced by Sashneva's statement, which now proved to be "supported by written evidence", concluded that "thus, from the German report, it would appear that Juzeph Loek had been shot one year before the witness Sashneva saw him".

The next witness quoted in the Report was Danilenkov, a peasant from the collective farm of the Katyn Rural Soviet. His statement was much shorter it simply said "In August and September, 1941, when the Germans arrived, I used to meet Poles working on the roads in groups of 15-20".

No further statements on the subject of the sojourn of Polish prisoners of war in these regions after their capture by the Germans were quoted and the Report merely noted "that similar statements were made before the Commission by twelve further witnesses whose names were listed, as well as 'by others'."

If at this point of the Report of the Special Commission we come to a critical analysis, we find that the Soviet thesis that the "special" camps with Polish war prisoners officers and men totalling approximately 10,000-15,000 persons were captured in July 1941 by the Germans—is far from being satisfactorily proved. The proofs are limited to the statement made by Sashneva who sheltered one of the prisoners for one night, and to the statement of Danilenkov who "in August and September 1941 saw groups of Poles of 15-20 men working on the roads", a fact confirmed by a further twelve witnesses who made "similar statements". It is not surprising, therefore, that the Special Commission decided that it would be useful to strengthen this thesis by the depositions of four further witnesses, to establish the fact that in the Autumn of 1941 (the witness had said "in August—

September 1941") the Germans had carried out a round-up of Polish war prisoners both in the forests and in the villages.

Judging by this part of the Report of the Special Commission, the fate of the three "special" Polish P. O. W.'s camps in July, August and September 1931 seems to have been as follows:

According to the testimony of Major Vetoshnikov and engineer Ivanov it was impossible to evacuate these camps by rail, and since permission had not come from Moscow for their evacuation on foot, they fell into German hands; the Germans introduced in them "a strict regime" (Cf. witness Sashneva). Probably at the time of seizing these camps, and in any case after their capture, prisoners escaped from them (e. g. Juzeph Loek); these escapes must have been fairly numerous and by no means sporadic, since "in August and September" (witness Fatkov) the Germans instituted round-ups in the forests and villages for escaping prisoners of war. These round-ups were wholly successful, all escaped war prisoners were caught and thus did not avoid re-incarceration and, ultimately, death at the hands of Hitlerites murderers in Katyn forest. Juzeph Loek was also killed in spite of Sashneva's help. Notwithstanding the nearness of the Polish frontier, the knowledge of the local language, and help offered by the local population, and in spite of the favourable season—not one of the eight thousand odd Polish officers, who were supposed to have been transferred to the three "special" camps from Starobielsk, Kozielsk and Ostaszkow, succeeded in escaping. Nor, up to the present day, has even one of them been found.

If we consider that this occurred in August–September, 1941, at a distance of approximately 30 miles from the front, while stubborn fighting was going on in the neighbourhood of Smolensk, which broke out in connection with Marshal Rokossovsky's counter-offensive in the direction of Dukhovshchyzna and that of General Boldin in the direction of Jelnia (Cf. Allen and Muratoff, page 47) it would be difficult indeed to magnify the unintentional homage paid to the efficiency of the Wehrmacht by the report of the Special Commission.

It is on the other hand impossible to disregard the fact that this very large group of Polish prisoners of war—numbering more than 10,000, officers and men, for the most part, young and healthy, appear to have been in the matter of escaping exceptionally inefficient and indolent.

During the second world war, Poles have achieved a certain measure of renown for their skill in slipping across frontiers, for moving about in enemy-occupied territory, and for escaping from prisons and camps. Those abilities of the Poles in this respect have even been confirmed by Stalin, who in his conversation with General Sikorski on 3.12.1941 expressed his supposition that several thousand of the Polish officers searched for in the Northernmost parts of the U. S. S. R. had probably succeeded, after their release from Soviet camps, in escaping to Manchuria without the knowledge of the local authorities (see page 191).

Therefore the fact that out of several thousand Polish prisoners of war not a single one managed to make his way to Poland, neither during work on road constructions under Soviet or German supervision, nor in the chaos caused by the capture of the camps by the Germans, coupled with the fact that those who escaped did not succeed, in spite of the most favourable conditions, present such an improbable picture as to be wholly unbelievable. Inevitably the critical inquirer is led to doubt whether the three "special" camps from which no sign of life was given and about the existence of which the world was wholly unaware until the publication of the Soviet communiqué of the 15th April 1943—had ever really existed at all.

This very justifiable doubt, however, presupposes that all the witnesses that were brought before the Special Commission gave consistently false evidence but that in itself would be improbable and in actual fact was almost certainly not the case. It must be remembered that none of them had admitted to having seen more than 15–20 Polish prisoners at one time and there had been no mention of officers.

If we cast our minds back to the fate that befell the Polish P. O. W.'s of other ranks in Russian hands (see p. 99 above), we recollect that very many of them were sent to build roads and airfields in Soviet Occupied Poland and neighbouring territories and were organised for this purpose into camps which were moved about according to where the labour was most needed at any one time. On the face of it therefore it is quite probable that some of these camps were situated at some time in the Smolensk area, and strong evidence exists which points to the fact that this was the case.

This evidence comes from the testimony of a Polish N. C. O. (Witness 38) who after being liberated from a German camp, by the Americans in June 1944

joined the Polish Army in the West. He was taken prisoner on Sept. 17th, 1939 by the Russians and put in the Transit Camp for P. O. W's. at Kremenchug from where he was sent on, together with 3,000 other ranks, to work in the "Rosa Luxembourg" iron-ore mine at Krivoi Rog. In April 1940, some 1,500 Polish P. O. W's. working in the mine were sent to the neighbourhood of Smolensk. He said that "the journey had lasted two to three weeks and I remember that somewhere about the middle of April we were unloaded from the train in a wood which I later realised was 5-7 kilometres (3-5 miles) from Smolensk. I know the distance because we were sent to work in the city". The camp had been to the East of Smolensk, far from any habitation and had had no special name. He thought that it had been previously occupied but he hadn't known by whom. The prisoners were taken nearly every day to Smolensk and on the way there passed through at Kolhoz called Popovka, about 4 Kil. from the camp. "We worked on road repairs on the outskirts of the city, and sometimes we repaired the streets of the city itself and also the bridges". Going to and from work they had met other Polish prisoners with some of whom he had had a chance to talk and had learnt that there were in that area two other camps for Polish prisoners, one like his own guarded by N. K. V. D. and the other containing men who were allowed more freedom being able to go about unescorted and some even being used to drive Soviet lorries.

One of these drivers had told him that he, on one occasion had been sent to transport the belongings of Polish officers from a building in a wood.

In the late Autumn of 1940 this witness together with most of his fellow prisoners was removed from the Smolensk camp Westwards to Grodek Jagiellonski,<sup>1</sup> and put into the camp at Czerlany where they worked on aerodrome construction until the outbreak of the Soviet-German War. Most of the prisoners had then been evacuated to the East, but he with some others was taken by the Germans and worked subsequently in the Todt Organisation on the East Front and afterwards in Cherbourg.

The evidence of this Polish N. C. O. is interestingly confirmed by Warrant Officer Marjan Klimozak in an article in the Moscow "Wolna Polska" 7 (48) dated Feb. 24th, 1944, entitled "I was a prisoner in Katyn Forest." He wrote that, as a Polish N. C. O. he had been taken prisoner by the Russians in 1939 and that from February to March 1941 "I was for some time in the camp No. 2 O. M. near Smolensk in the same Katyn Forest."

The prisoners had been sawing wood in the forest and repairing roads. In his group "there were about 300 Polish officers and men. I know that they were not ill treated. I didn't see any beating and we heard nothing at all about shooting", wrote this soldier from Berling's Army. He emphasised that "none of my fellow prisoners perished and there were officers among them." Klimczak did not say whether these officers had disclosed their rank to the Soviets or whether they had cautiously concealed them. He gave the names of three of them and said that up till the time he himself had been removed to Archangel (March 1941) (page 53 above) they had been alive and treated like the others.

From this evidence, both Polish and Russian, which is not found in the Report of the Special Commission, we may conclude that there were in fact three camps for Polish prisoners in the Smolensk area, either West or East of the city, but that they were not "special" camps for officers and the total population of them was far from being 10-15,000. Most of the prisoners were removed from that area before the outbreak of the Soviet German War either to the West or to the Far North. But some of these prisoners are quite likely to have been left in the neighbourhood of Smolensk and it is therefore highly probable that the Soviet witness Danilenkov had in fact seen in the first months of the German occupation "Poles working on the roads in groups of 15-20."

## *2. The execution by the Germans of Polish prisoners of war in the autumn of 1941.*

According to the findings of the Soviet Special Commission, the Polish officers whose bodies were discovered in the Katyn graves had been shot by the staff of the "Headquarters of the 537th Engineering Battalion" billeted in the Rest House of the N. K. V. D. at "Kose Gory". There were usually about 30 people at the Headquarters among them Lt. Colonel Arnes, his aide Lt. Rekst, Sub. Lt. Hott, Sergeant-Major Lumert and N. C. O.'s Rose, Isikes, Gronewski and others.

From the Report it appears that the Special Commission reached this conclusion from the following sets of proofs:

A. statements of witnesses Alexeyeva, Mikhailova and Konakhovskaya who had been employed for a time in the Rest House as domestics to the German Headquarters staff, resident there;

<sup>1</sup> West of Lwow in Eastern, Russian occupied Poland.

B. statements made by six witnesses, domiciled in the neighbourhood of Kose Gory, whose names were mentioned in the Report of the Special Commission;

C. statement of witness B. Bazilevsky, a Professor of Astronomy, who for a time acted as assistant Burgomaster of Smolensk, under the Germans, and notes made by the Burgomaster of Smolensk, lawyer B. Menshagin, a traitor who subsequently made his escape with the retreating Germans. The following is an analysis of these proofs:—

(A) The first group of proofs consisted of statements of three witnesses whose ages and professions were not divulged in the Report which were quoted at great length.

These witnesses were three young peasant girls from the village of Borok of the Katyn Rural Soviet, who had been appointed, at the request of the German Commandant of the Katyn settlement, by the headman of the village of Borok to do domestic work in the country house where the Germans were quartered. The Report did not specify the precise nature of their work; it was probably connected with the kitchen, the latter being frequently mentioned in their statements. The Report stated that shortly after starting work—Alexeyeva, Mikhailova and Konakhovskaya began to notice that the Germans were up to “something shady” in the country house.

It seems from the Report that they had been particularly surprised by the fact that, after reporting for work for the first time, the commanding officer Lt. Colonel Arnes, had wished to see them himself and had given them instructions as to the way they must behave while working at German Headquarters.

The Report of the Special Commission describes this incident as follows: “On arrival in ‘Kose Gory’ they were told through an interpreter about a number of restrictions: they were absolutely forbidden to go far from the country house or to go to the forest, to enter rooms without being called and without being escorted by German soldiers, to remain in the grounds of the country house at night. They were allowed to come to work and leave after work only by a definite route and only escorted by soldiers. This warning was given to Alexeyeva, Mikhailova, and Konakhovskaya, through an interpreter, personally by the Chief of the German Institution Oberst Lieutenant Arnes, who for this purpose summoned them one at a time.”

The most comprehensive statement on the “shady work” which went on in the country house was made by Alexeyeva. After stressing that the interpreter Johann had warned the Russian domestic servants several times to hold their tongues and not to chatter in the village about what they saw and heard in the country house occupied then by the Germans, Alexeyeva emphasised that she had guessed from “a number of signs” that “the Germans were engaged in some shady doings”. She said that “at the close of August and during most of September 1941 several trucks used to come practically every day to the Kose Gory” country house and from listening to the engines she had come to the conclusion that they had stopped in the wood for some 30–60 minutes before driving up to the country house. “Simultaneously with the noise of the engines ceasing, single shots would be heard” one after another “at approximately even intervals”. The shooting would “die down and the trucks would drive up right to the country house. German N. C. O.’s and soldiers came out of the trucks. Talking noisily they went to wash in the bath-house after which they engaged in drunken orgies. On these days fire was always kept burning in the bath-house stove”.

She went on to describe how on the days when the trucks had arrived, more German soldiers had come to the country house for whom extra beds had been put up in the soldiers’ canteen and additional meals cooked in the kitchen. “Shortly before the trucks reached the country house armed soldiers went to the forest, evidently to the spot where the trucks stopped, because in half an hour they returned in these trucks, together with the soldiers who lived permanently in the country house.”

Alexeyeva explained that she would probably not have noticed all these happenings had it not been for the fact that whenever many new soldiers arrived at the country house, the Russian girls had been “driven to the kitchen if we happened to be in the courtyard near the house; or they would not let us out of the kitchen if we happened to be in it.”

This fact had made Alexeyeva “pay close attention to what was going on at the country house”. She had noted these “shady doings”, and had “inferred that the Germans brought people in the trucks to the country house and shot them”. She had even “guessed approximately where this took place as, when coming to and leaving the country house, I noticed freshly thrown-up earth in several places near the road. The area of this freshly thrown-up earth increased every day. In the course of time the earth in these spots began to look normal.”

In answer to a question put by the Special Commission as to what kind of people had been shot in the forest near the country house, Alexeyeva had replied that Polish war prisoners had been shot and in confirmation of her words stated that "there were days when no trucks arrived at the country house, but even so, soldiers left the house for the forest whence came frequent single shots". On returning the soldiers "always took a bath and then drank."

Alexeyeva said that she had on one occasion stayed behind rather later than usual; although she had not finished the work for which she had remained behind, she had been ordered by a German N. C. O. to leave and as usual had been escorted back to the highway by a German soldier. After she had walked along the highway some 150-200 metres (165-220 yds.) from the place where the road branched off to the country house, she had seen a group of about 30 Polish war prisoners "marching along the highway under heavy German escort"; she explained to the Commission that she had known that they were Poles because "even before the war and for some time after the Germans came I used to meet on the highway Polish war prisoners wearing the same uniform with their characteristic four-cornered hats."

The girl went on to describe how she had hidden in the bushes near the roadside and having seen the group turn towards the road leading to the country house had waited to see what would happen. When some 20-30 minutes later she had heard the familiar single shots "everything became clear to me and I hurried home".

"I also concluded that evidently the Germans were shooting Poles not only in the daytime, when we were working at the country house, but also at night, in our absence. I understood this also from recalling the occasions when all the officers and men who lived in the country house, with the exception of the sentries, woke up late, about noon. On several occasions we guessed about the arrival of the Poles in Kose Gory from the tense atmosphere that descended on the country house. All the officers left the country house and only a few sentries remained in it, while the Sergeant Major kept checking up on the sentries over the telephone. . . ."

The statement made by Mikhailova, quoted in the report of the Special Commission, was identical in its context and although it was shorter, it contained details not submitted by Alexeyeva. Mikhailova too at first when "in September, 1941, shooting was heard very often in the Kose Gory forest", had not taken any notice of the trucks, "closed at the sides and on top and painted green", which used to drive up to the country house and which were always escorted by German N. C. O.'s. Then she had noticed that these trucks never entered the garage and also that they were never unloaded. "They used to come very often, especially in September, 1941. Among the N. C. O.'s who always sat with the drivers, I began to notice one tall one with a pale face and red hair. When these trucks drove up to the country house, all the Germans, as if at a command, went to the bathhouse and bathed for a very long time after which they drank heavily in the country house. Once this tall red-headed German got down from the truck, went to the kitchen and asked for water. When he was drinking the water out of a glass I noticed blood on the cuff of the right sleeve on his uniform."

According to the Report on one occasion Mikhailova and Konakhovskaya witnessed "the shooting of two Polish war prisoners who had evidently escaped from the Germans and had subsequently been caught".

The passage from Mikhailova's statement, on which the Special Commission based this conclusion was as follows:—"Once Konakhovskaya and I were at our usual work in the kitchen when we heard a noise near the country house. On coming out we saw two Polish war prisoners surrounded by German soldiers who were explaining something to N. C. O. Rose. The Oberst Leutnant Arnes came over to them and told Rose something. We hid some distance away, as we were afraid that Rose would beat us up for being inquisitive."

"We were discovered, however, and at a signal from Rose the mechanic Grenewski drove us into the kitchen and the Poles away from the country house. A few minutes later we heard shots. The German soldiers and N. C. O. Rose, who soon returned, were engaged in animated conversation. Wanting to find out what the Germans had done to the detained Poles, Konakhovskaya and I came out again. Arnes' aide, who came out simultaneously with us from the main entrance of the country house, asked Rose something in German, to which the latter answered, also in German: 'Everything is in order.' We understood those words because the Germans often used them in their conversation. From all that took place I concluded that these two Poles had been shot."

The Report added that Mikhailova's story about the shooting of the two Poles (which can hardly be described as an eye-witness account) was supported by similar testimony on Konakhovskaya's part.

As was stressed in the Report, each girl had kept her observations on the subject of the "shady doings" in August and September in the country house strictly to herself and had not discussed them with her companions, yet without previously communicating with each other, all three of them "frightened by the happenings at the country house decided to quit work on some convenient pretext." It evidently took the girls three months to find a suitable excuse for leaving their work during which time life at the country house seems to have been free from "shady doings" as the Report makes no mention of any untoward happenings during October, November and December. It merely described how "taking advantage of the reduction of their 'wages' from nine to three marks a month at the beginning of January, 1942, on Mikhailova's suggestion they did not report for work" and how on the evening of the same day "a car came to fetch them, they were brought to the country house and locked up by way of punishment".

Apparently it was not until they were sitting in the cell at night that the girls had shared their impressions as was proved by Mikhailova's statement made at the interrogation on 24.12.1943. (At this point the Report recorded for the first time the actual date when the testimony was given, such dates seldom vouchsafed in the Report as a whole):

"Here for the first time we talked frankly about the happenings at the country house. I told all I knew. It turned out that Konakhovskaya and Alexeyeva also knew these facts but, like myself, had been afraid to discuss them. I learned from them that it was Polish war prisoners the Germans used to shoot at Kose Gory. Alexeyeva said that once in the Autumn of 1941, when she was going home after work, she saw the Germans driving a large group of Polish war prisoners into Kose Gory Forest and then she heard shooting." (In making this statement Mikhailova had evidently forgotten that she had according to the Report "herself" witnessed the shooting of two Polish war prisoners and had therefore no need to learn from Alexeyeva that Polish prisoners were shot.)

The Report further stated "that similar testimony was given by Alexeyeva and Konakhovskaya."

After comparing notes, Alexeyeva, Mikhailova and Konakhovskaya arrived at "the firm conviction—that in August and September, 1941, the Germans had engaged in mass shooting of Polish war prisoners at the country house in Kose Gory."

In confirmation of Alexeyeva's testimony, the Report quoted a statement made by her father, Mikhail Alexeyev, who said that "as far back as in the Autumn of 1941, during her work at the country house" she had told him of her observations complaining "that she was afraid to work at the country house" and that "she did not know how to get away". Once she had told him that "in Kose Gory forest the Germans were shooting Poles" and he had warned her very strongly "that she should not tell anyone else about it, as otherwise the Germans would learn and then the whole family would suffer".

Accepting, as it did, the evidence of Alexeyeva, Mikhailova, and Konakhovskaya, the Report failed to explain certain facts that inevitably followed from it. This evidence pointed to a set of circumstances that did not in themselves allow of Polish prisoners of war having been shot in any very great number. It would clearly have been impossible for many prisoners to have been taken to the place of execution if they had had to have been brought there, as the Report maintained was the case, "practically every day" in "several trucks" sometimes driven on foot in "large groups" of thirty men, for a period of barely one month, namely "the end of August and most of September".

Moreover the number of German soldiers who could have been accommodated in the canteen on the beds specially put up for the purpose could scarcely have been sufficient to accomplish the shooting of hundreds of prisoners daily and the digging of pits for and the burial of the corpses within the "half an hour or whole hour" during which they were reported as having been away in the forest.

It should be remembered, in this connection, that the Report spoke several times of single shots having been heard which rules out the possibility of the prisoners having been murdered with any weapon more expeditious than a pistol.

(B) The second group of proofs supposedly proving that Polish prisoners of war were shot in Kose Gory by the Germans in the autumn of 1941, consisted of testimonies obtained from inhabitants of nearby villages. From these the Report of the Special Commission did not give any verbatim quotations but listed six



names (adding "and others") and stated that these people had said that "Polish war prisoners used to be brought to Kose Gory in small groups of 20-30 men escorted by five to seven German soldiers" and that "these witnesses also heard shots in the forest at Kose Gory". These general statements made incidentally, in two cases, by witnesses whose testimonies had already appeared in the German *Amtliches Material* (see above), namely, Kisselew and Krivosertsev did not specify the date on which these small groups of Polish war prisoners had been brought to Kose Gory, nor from where they had come and in what numbers—and can hardly be said to have proved that the Germans executed more than 10,000 Polish officers and men in the Autumn of 1941.

(C) The Report ascribed especially "great importance in ascertaining what took place at Kose Gory country house in the Autumn of 1941", to the proofs of the third group, and in particular to the statement made by B. Bazilevsky, Professor of Astronomy and Director of the Observatory in Smolensk. As to Bazilevsky, Jerzy Szapiro, in the article of the Moscow-inspired "*Wolna Polska*" (Free Poland) already referred to, wrote that this "former deputy of the Burgomaster Menshagin . . . who was forced by the Germans to accept this position, subsequently went into hiding in order not to participate in the horrible crime of the occupiers."

He referred to him as a "typical representative of the Russian intelligentsia, who at first believed that he would succeed in saving the innocent victims" and said that he had exposed the "ideology of the executioners of Kose Gory and explained in detail in what manner Commandant von Schwetz and his assistants had committed this crime."

Here is a summary of the evidence given by him found in the Report:

Early in September 1941 he was said to have addressed to Burgomaster Menshagin "who enjoyed the special confidence of the German Command and in particular of 'the Smolensk Kommandant von Schwetz,' a request to solicit the Kommandant von Schwetz for the liberation of the teacher Zhighlinsky from a war prisoner camp". The Report said that in connection with this request, conversations had taken place between Bazilevsky and Menshagin, during which the latter "betrayed" to the Astronomer the "secret of Katyn." This, according to the Report of the Special Commission, took place in the following way:—

Menshagin had informed Bazilevsky that his intervention had failed because as Schwetz had told him, "instructions had been received from Berlin prescribing that the strictest regime be maintained undeviatingly in regard to war prisoners without any slackening."

"I involuntarily retorted" Bazilevsky had testified, " 'Can anything be stricter than the regime existing in the camp?' Menshagin looked at me in a strange way and bending to my ear, answered in a low voice: 'Yes, there can be. The Russians can at least be left to die off, but as to the Polish war prisoners, the orders say that they are to be simply exterminated'. 'How is that? How should it be understood?' I explained. 'This should be understood literally. There is such a directive from Berlin', answered Menshagin, and asked me 'for the sake of all that is Holy, not to tell anyone about this.'"

"About a fortnight after this conversation with Menshagin, when I was again received by him, I could not keep from asking: 'What news about the Poles?' Menshagin hesitated for a little, but then answered: 'Everything is over with them. Von Schwetz told me that they had been shot somewhere near Smolensk.' Seeing my bewilderment Menshagin warned me again about the necessity of keeping this affair in the strictest secrecy and then started 'explaining' to me the German policy in this matter. He told me that the shooting of the Poles was one link in the general chain of anti-Polish policy pursued by Germany, which became especially marked in connection with the conclusion of the Russo-Polish Treaty".

Bazilevsky is supposed to have had a similar conversation (on a date not specified in the Report of the Special Commission) with the Sonderfuehrer of the 7th Department of the German Kommandantur in Smolensk, a Baltic German named Hirschfeld. Since Hirschfeld—"spoke good Russian" there is no doubt, that his "political" arguments had been properly understood by the Russian Astronomer and accurately put before the Soviet Special Commission.

"With cynical frankness Hirschfeld told me that the harmfulness and inferiority of the Poles had been proved by history and therefore reduction of Poland's population would fertilise the soil and make possible an extension of Germany's living space. In this connection Hirschfeld boasted that absolutely no intellectuals had been left in Poland, as they had been all hanged, shot, or confined in camps".

Quite amazed by these revelations concerning the German policy in Poland, the Professor of Astronomy had immediately communicated them to his colleague,

I. Yefimov, a Professor of Physics, who—on being examined by the Special Commission—had confirmed the fact that he had talked with Bazilevsky in the Autumn of 1941.

Bazilevsky's statements, which—in the opinion of the Special Commission—were of particular importance for the elucidation of the Katyn mystery were additionally confirmed by the documentary evidence of Menshagin's notebook "containing 17 incomplete pages" found by the Red Army in the files of the Smolensk Municipal Board and in which there were various notes in his handwriting. The authenticity of this handwriting had been confirmed not only by the testimony of Bazilevsky "who knew Menshagin's hand well, but also by expert graphologists. The Report of the Special Commission went on to state that "among the various notes on economic matters (on firewood, electric power, trade, etc.)" had been a plan for the organisation of a Jewish ghetto in Smolensk and following two entries;

"Page 10, dated 15th August, 1941, contains the following note: 'All fugitive Polish war prisoners are to be detained and delivered to the Commandant's office.'

"Page 15 (undated) contains the entry: 'Are there any rumours among the population concerning the shooting of Polish war prisoners in Kose Gory (for Umnov).'"

It transpired—in the opinion of the Special Commission—that "from the first entry finally that on August 15, 1941, Polish war prisoners were still in the Smolensk area and secondly, that they were being arrested by the German authorities.

"The second entry was held to prove that the German Command worried by the possibility of rumours about the crime it had committed circulating among the civilian population, issued special instructions for the purpose of checking this surmise". The Report explained that Umnov, mentioned at the end of the last entry was "the Chief of the Russian police in Smolensk during the early months of its occupation".

## 28. *History of the German provocation in the Spring of 1943.*

A. *German search for false witnesses.*—After proving that the Katyn victims had been murdered by the Germans in the autumn of 1941, the Report of the Soviet Special Commission proceeded to a discussion of the "German provocations in the spring of 1943."

The report gave the following reasons for this provocation: "In the winter of 1942–43 the general military situation changed sharply to the disadvantage of the Germans. The military power of the Soviet Union was continually growing stronger. The unity between the U. S. S. R. and her Allies was growing stronger. The Germans resolved to launch a provocation, using for this purpose the crimes they had committed in the Katyn forest, and ascribing them to the organs of the Soviet authorities. In this way they intended to set the Russians and Poles at loggerheads and to cover up the traces of their own crimes. A priest, Ogloblin, of the village of Kuprino in the Smolensk district, stated:

"After the events at Stalingrad, when the Germans began to feel uncertain, they launched this business. The people started to say that the "Germans are trying to mend their affairs"."

With regard to the methods of provocation, the Report stated that "having embarked on the preparation of the Katyn provocation, the Germans first set about looking for witnesses who would, under the influence of persuasion, bribes or threats, give the testimony which the Germans needed. The attention of the Germans was attracted to the peasant Parfen Gavrilovitch Kisselev, born in 1870, who lived in the hamlet nearest to the house in Kose Gory."

The Report went on to quote a very full statement made by this old man of 74, who frequently explained that when making his depositions to the Germans (see above page 302) he had been forced to lie, but that now he was telling the whole truth. A concise summary of his arguments as given in the Report follows:

In the Autumn of 1941 he was said to have been summoned to report to the Gestapo at the station of Gnozdoovo, where the officer who spoke to him through an interpreter had insisted on his giving false evidence on the subject of the shooting of Polish officers in Kose Gory. "I answered"—Kisselev told the Special Commission—"that I had never heard of the N. K. V. D. shooting people at Kose Gory . . . since Kose Gory is an absolutely open and much frequented place and if shootings had gone on there, the entire population of the neighbouring villages would have known."

In spite of a promise of a "big reward" and, the officer "having obstinately insisted" that he should give false evidence, Kisselev is said to have refused the Germans without, on this occasion incurring any evil consequences.

In February 1943, however, matters had been different. Summoned once again to appear before the Gestapo to give evidence of the shooting of Polish

officers by the N. K. V. D. he had refused, whereas the interpreter had picked up a handwritten document from the table, read it out to him and ordered him to sign it. Kisselev said that at first he had refused, but when the interpreter had begun to force him "by abuse and threats" and had finally shouted "either you sign it at once or we shall destroy you. Make your choice"—he, very frightened had signed the document thinking, "that this would be the end of the matter."<sup>1</sup>

This had in fact, not been so, because the Gestapo, he said, had forced him subsequently to give evidence before the various delegations which had arrived in Katyn, and especially before the "Polish delegation."

When brought by the Gestapo interpreter, before the "Polish Delegation" he was alleged to have forgotten the contents of the protocol he had signed for the Gestapo, to have got mixed up in his answers and to have finally refused to speak, saying "I know nothing about the shooting of Polish officers".

"The German officer got very angry"—Kisselev stated before the Special Commission—"and the interpreter roughly dragged me away from the 'delegation' and chased me off." In consequence, he had been arrested and taken by car to the Smolensk prison, where, for six weeks he had been "beaten more than questioned". He is reported to have said that as a result of this treatment—"I lost all my strength, my hearing became poor, and I could not move my right arm". Nevertheless as he had persisted in refusing to bear false witness in favour of the Germans, the German officer had summoned him and told him: "You see the consequences of your obstinacy, Kisselev. We have decided to execute you. In the morning we shall take you to Katyn Forest and hang you."



The old man as a consequence of this threat and further beatings with rubber clubs by soldiers broke down and "agreed to appear publicly with a fallacious tale about shooting of Poles by Bolsheviks."

He said that on each occasion before being taken to the graves his Gestapo interpreter "used to come to my house, call me out into the yard, take me aside to make sure that no one would hear, and for half an hour make me memorise by heart everything he would have to say about the alleged shooting of the Polish officers by the N. K. V. D., in 1940." At the end of his deposition Kisselev told how on one occasion he had been taken by surprise by an unexpected question, and forgetting to lie, had given a "true" answer. Finally he begged the Special Commission to believe him that "all the time I felt pangs of conscience as I knew that in reality the Polish officers had been shot by the Germans in 1941. I had

<sup>1</sup> The document signed by Kisselev in the German Commandant's Office was worded—according to his testimony before the Special Commission, as follows: "I, Kisselev, resident of a hamlet in the Kose Gory area, personally witnessed the shooting of Polish officers by staff members of the N. K. V. D. in 1940." The text of this deposition however was couched in quite different terms from the one published by the Germans above his signature. (see p. 302).

no other choice, as I was constantly threatened with the repetition of my arrest and torture."

Kisselev's testimony, quoted above, was confirmed before the Special Commission by his wife, his son and a tenant and was supported by the protocol of a medical examination which had established "injury to shoulder and considerable impairment of hearing."

After having secured the "testimony" of Kisselev, the Germans in their search for further "witnesses" had according to the Soviet Report turned their attention to railway workers at the Gnezdovo station.

The Report of the Special Commission admitted that it was the station at which Polish war prisoners had arrived in the spring of 1940. The Germans had evidently wanted to obtain corresponding testimony from the railwaymen. For this purpose "in spring 1943, the Germans summoned to the Gestapo the ex-stationmaster of Gnezdovo station, Ivanov, the stationmaster on duty, Savvatyeyev and others."

Ivanov, born in 1882, had told the Soviet authorities that he had been interrogated in March 1943 by a German officer in the presence of an interpreter. When he had pointed out that the shooting by the N. K. V. D. in 1940 of Polish officers, who had arrived at the Gnezdovo station in the Spring of that year, could not have taken place, as he had himself come across them, working on road construction in 1940-41, up to the time of the capture of Smolensk by the Germans, the German officer at first tried to persuade him to give false evidence promising "to provide for his material needs" and had then threatened him with torture and shooting. In view, however, of his steadfast bearing the Germans had given up the idea of making use of him and had limited themselves to forcing him to sign a protocol in German which had not, contained any false testimony. When he had insisted that a Russian translation should be appended to the German original "the officer finally went beside himself with fury, beat me up with a rubber club and drove me off the premises."

Savvatyeyev, born in 1880, is alleged to have had a similar difference of opinion with a German officer on the subject of a "short protocol" which he had not understood. At first he had refused to sign it, but when the interpreter "seized a rubber club hanging on the wall and made to strike me", he had signed the protocol shoved at him and, on leaving, had been told by the interpreter not to divulge anything to anyone, as otherwise, he would be shot.

The Report of the Special Commission stated further that the search for "witnesses" had not been limited to the above-mentioned persons. The Germans had striven "persistently to locate former employees of the N. K. V. D. and extort from them the false testimony which the Germans needed."

"Having chanced to arrest Ignatyuk, formerly a labourer in the garage of the Smolensk Regional Administration of the N. K. V. D. the Germans stubbornly, by threats and beatings, tried to extort from him testimony that he had been a car driver and not merely a labourer in the garage, and had himself driven Polish war prisoners to the shooting site."

In the statement subsequently made to the Soviet authorities Ignatyuk, born in 1903, had said that during his first examination "by the Chief of the German police, Alferchik", he had refused to testify that he had been employed in the garage of the N. K. V. D. not only as labourer but also as driver: "Alferchik was greatly irritated . . . and he and his aide, whom he called George, tied up my head and mouth with some rag, removed my trousers, laid me on a table and began to beat me with rubber clubs."

In return for giving false evidence to the effect that he had been present as a driver during the shooting of Polish officers in 1940, Alferchik had promised Ignatyuk to liberate him from prison and get him a job with the police where he would be given good living conditions—threatening otherwise to shoot him. As the witness again refused, he had been beaten up once more and sent to the Gestapo which had also demanded that he should give false evidence about the shooting of the Polish officers. The Report of the Special Commission did not say however how Ignatyuk's encounter with the Gestapo ended.

The search instituted by the Soviet authorities for other witnesses examined by the Germans in the Katyn affair did not yield any positive results, because—according to the report of the Special Commission—Godunov (alias Godesov) and Silversov had died in 1943 before the liberation of the Smolensk region by the Red Army and Andrejev, Zhigulev and Krivosertsev had "left with the Germans or perhaps were forcibly abducted by them". (The report of the Commission did not mention the fact that the two last mentioned men were members of the German Ordnungswacht).

Only Matvey Zakharov, the coupler at Smolensk station "was located and examined by the Special Commission." He related that when at the beginning of 1943 he had been summoned to the Gestapo he had told them that he had not known the destination of the cars loaded with Polish war prisoners which had passed through Smolensk and that the officer of the Gestapo had taken "a rubber club and began to beat me up." Then the same officer, assisted by the interpreter, had laid him on a bench and had beaten him until he had fainted.

His testimony continued:—

"When I came to, the officer demanded that I sign a protocol of the examination. I had lost courage as a result of the beating and threats of shooting, so I gave false evidence and signed the protocol". He had then been released by the Gestapo.

Several days afterwards he had again been summoned to the Gestapo in order to confirm his testimony in the presence of a German General. The interpreter had warned him en route that if he refused to confirm his testimony he would have a much worse experience than he had had on his first visit to the Gestapo, so fearing a repetition of the torture, he had, when asked confirmed it. Then the interpreter had ordered him to raise his right hand and told him that he had "taken an oath and could go home." (See page 304, German data concerning Sakharov's depositions).

At the end of the chapter dealing with the German search for false witnesses the Report of the Special Commission stated that: "the Germans used persuasion, threats and torture in trying to obtain the testimony they needed, for example, from Kaverznev, former deputy chief of the Smolensk prison, and Kovalev, former staff member of the same prison. Since the search for the required number of witnesses failed to yield any success the Germans posted up in Smolensk city and the neighbouring villages a handbill summoning the population to come forward as witnesses in the case of the Katyn murders and promising rewards for any information supplied in the matter."

The Report quoted the text of this handbill and attached great importance to it as a proof that the Germans had paid for false evidence.

*B. Removal from the Katyn Graves of material compromising the Germans.*— After thus describing the German methods of securing false witnesses, the Report of the Special Commission passed on to show just how the Germans succeeded in removing from the Katyn graves the greater part of any material evidence which might have destroyed their case. The investigations of the Soviet Special Commission had established that before the official disclosure in April 1943 of the existence of the graves of Polish officers in Katyn, the Germans, in March of that year, had secretly opened these graves and had searched the bodies, removing from them all documents dated later than April 1940, i. e., "the time when according to the German provocation version, the Poles were shot by the Bolsheviks". In order to carry out in one month this huge task of exhuming some 11,000 bodies (this figure was mentioned en passant once only in the Report), making a detailed search, re-burying them and restoring the graves to their original state and appearance—the Special Commission affirmed that the Germans had employed 500 specially selected Russian prisoners of war, who had been shot after the completion of their task.

Stating that "the Special Commission disposes of numerous depositions of witnesses in the matter" the report quoted the testimonies of seven persons from among the medical personnel of the former Smolensk prisoner of war Camp No. 126 and of a certain Alexandra Moskovskaya, who on 5.10.1943 "filed an application to the Extraordinary Committee for the investigation of Atrocities perpetrated by the German Invaders requesting them to summon her to give important evidence."

The fragments of statements made by two doctors, Chizhov and Khmurov, quoted in the Report of the Special Commission, established that "just about the beginning of March 1943 several groups of the physically stronger war prisoners, totalling about 500, were sent from the Smolensk Camp No. 126, ostensibly for trench work. None of these prisoners ever returned to the camp."

Identical evidence was alleged to have been submitted by two nurses and three other witnesses, whose names are mentioned in the Report, but whose statements were not quoted.

These despositions concerning the removal of 500 Russians P. O. W.'s would not of themselves have been of any significance in the Katyn affair, were it not for the additional light thrown upon them by the statement of the witness Moskovskaya. Strange though it may seem, it appears from her statements given in the official Report of the Soviet Special Commission that she had learned in

some unspecified manner in *MARCH 1943* of events which took place in *APRIL of that same year*—but nevertheless the Special Commission held that her testimony “made it clear where the 500 war prisoners from camp 126 were actually sent.”

Moskovskaya, born in 1922, was said to have been living during the German occupation “on the outskirts of Smolensk” and to have been working “in the kitchen of a German military unit.” Having been summoned, as a result of her own application, “she told the Special Commission that before leaving for work in March 1943, when she went to fetch firewood from her shed in the yard on the banks of the Dnieper, she discovered there an unknown person who proved to be a Russian prisoner of war.”

The following paragraphs are taken verbatim from the Report:—“From conversation with him I learned that his name was Nikolai Yegorov, a native of Leningrad. Since the end of 1941 he had been in the German camp no. 126 for war prisoners in the town of Smolensk. At the beginning of March 1943, he was sent with a column of several hundred war prisoners from the camp to Katyn forest. There they, including Yegorov, were compelled to dig up graves containing bodies in the uniforms of Polish officers, drag these bodies out of the graves and take out of their pockets documents, letters, photographs, and all other articles.

“The Germans gave the strictest orders that nothing be left in the pockets on the bodies. Two war prisoners were shot because after they had searched some of the bodies, a German officer discovered some papers on these bodies.

“Articles, documents and letters extracted from the clothing on the bodies were examined by the German officers, who then compelled the prisoners to put part of the papers back into the pockets on the bodies, while the rest was flung on a heap of articles and documents they had extracted and later burned.

“Besides this, the Germans made the prisoners put into the pockets of the Polish officers some papers which they took from the cases or suitcases (I don’t remember exactly) which they had brought along. All the war prisoners lived in Katyn forest in dreadful conditions under the open sky and were extremely strongly guarded. At the beginning of April 1943, all the work planned by the Germans was apparently completed, as for three days not one of the war prisoners had to do any work . . .”

Moskovskaya went on to say that when suddenly at night all of these prisoners had been awakened and led somewhere under strengthened guard, Yegorov, sensing something was wrong, had begun to watch very closely everything that was happening. His fears had proved well founded. They had been marched for three or four hours in an unknown direction, stopped in the forest at a pit in a clearing and the Germans had begun to shoot them. The war prisoners grew agitated and restless and Yegorov had taken advantage of the confusion and had run away “into the dark forest, hearing shouts and firing.”

“After hearing this terrible story, which is engraved in my memory for the rest of my life,” continued Moskovskaya’s testimony—“I became very sorry for Yegorov, and told him to come to my room, get warm and hide at my place until he had regained his strength.” Yegorov, however, refused. In spite of the exhaustion caused by long imprisonment at the camp and the starvation of the last days, he said that “no matter what happened he was going away that very night, and intended to try to get through the front line to the Red Army.”

Unable for the time being to carry out his patriotic plan owing to lack of strength, Yegorov had remained in the shed, until the day when “he is alleged to have been found and taken away by the German police. In connection with the finding of an escaped Soviet prisoner of war in her shed, Moskovskaya had been summoned to the Gestapo but had stoutly denied knowing anything about him. Since, “prisoner Yegorov evidently had not incriminated Moskovskaya, she was let out by the Gestapo” and this made it possible for her to make her sensational statements before the Soviet Special Commission several months later.

C. *The bringing of the bodies to Katyn by the Germans.*—Thanks to Moskovskaya’s testimony it became clear why, during the period of the German “Katyn provocation,” no one among the neutral doctors and journalists present at the place of exhumation or in the professional team of the Polish Red Cross which had obviously been most active in the exhumation work, had succeeded in finding any traces of a document dated later than the first days of May 1940. The Special Commission owed it to the same witness that other possible doubts could also be removed.

As has already been noted (see page 367-73) the way in which murder of the Polish prisoners of war in the Katyn forest in August and September 1941, as



established by the Special Commission on the basis of statements made by witnesses Alexeyeva, Mikhailova and Konakhovskaya were carried out, gave rise to serious doubts as to the possibility of the Germans being able to murder such a large number of people in so short a time. These doubts were removed by the Special Commission having established "that at the time of the German provocation" the graves at Katyn contained not only bodies of persons murdered in the Katyn forest in August and September 1941 but, in addition, other bodies which had been brought in large numbers to these graves in March 1943.

Proof of this fact was given to the Special Commission in the statement made by Moskovskaya. The Report of the Special Commission, told how the escaped prisoner Yegorov, before being re-captured by the German police, had had time to tell Moskovskaya not only his personal history but also to inform her "that as well as excavating bodies in Katyn Forest the war prisoners were used to bring bodies to the Katyn Forest from other places. The bodies so brought were thrown into pits along with the bodies that had been dug up earlier.

This part of Moskovskaya's statement was confirmed also by the testimony of engineer mechanic K. S. Sukhachev, born in 1912, who, like Moskovskaya, had filed a request to be allowed to testify before the Special Commission. It appeared from his statement that when working in the municipal mill in Smolensk during the German occupation he had gone into the country one night in the second half of March 1943 to fetch foodstuffs. On the Smolensk-Vitebsk highway his truck had collided with another lorry, which, as a result of the collision "had landed in a ditch." When Sukhachev, with his own driver, had run to the overturned truck, they had been met by "heavy stench of putrifying flesh coming evidently from the truck."

"On coming nearer"—said Sukhachev—"I saw that the truck was carrying a load covered with tarpaulin and tied up with ropes. The ropes had snapped with the impact, and part of the load had fallen out on the slope. This was a horrible load—human bodies dressed in military uniforms. As far as I can remember there were some six or seven men near the truck: one German driver, two Germans armed with tommy-guns—the rest were Russian war prisoners, as they spoke Russian and were dressed accordingly."

"The Germans began to abuse my driver and then made some attempts to right the truck. In about two minutes time two more trucks drove up to the place of the accident and pulled up. A groups of Germans and Russian war prisoners, about ten men in all, came up to us from these trucks . . . By joint efforts we began to raise the truck. Taking advantage of an opportune moment I asked one of the Russians war prisoners in a low voice: 'What is it?' He answered very quickly: 'For many nights already we have been carrying bodies to Katyn Forest.'

"Before the overturned truck had been raised a German N. C. O. came up to me and my driver and ordered us to proceed immediately. As no serious damage had been done to our truck, the driver steered it a little to one side and got on to the highway, and we went on. When we were passing the two covered trucks which had come up later I again smelled the horrible stench of dead bodies."

Sukhachev's testimony was confirmed by those of Vladimir Yegorov and Frol Maximovitch Yakovlev—Sokolov, both of whom had been serving in the police during the German occupation, the first as a policeman and second as chief of the Police of Katyn.

According to the statements of Yegorov, which the report of the Special Commission summarizes, he had, while guarding a bridge at the crossing of the Moscow-Minsk and Smolensk-Vitebsk highways at the end of March and the beginning of April 1943, seen on several occasions at night large trucks covered with tarpaulins, from which rose "a heavy stench of dead flesh." When he had reported his observations to his chief he had been advised "to hold his tongue" and told: "this does not concern us. We have no business to be mixing in German affairs."

Yakovlev-Sokolov, born in 1896, also said that he had seen early in April 1943 "four tarpaulin-covered trucks passing along the highway to Katyn forest. Several men armed with tommy guns and rifles rode in them. An acrid stench of flesh came from these trucks".

"From the above testimony" said the report of the Special Commission—"it can be concluded with all clarity that the Germans shot Poles in other places too. In bringing the bodies to the Katyn forest they pursued a triple object:

- "1. to destroy the traces of their own crimes;
- "2. to ascribe their own crimes to the Soviet Government;
- "3. to increase the number of 'victims of Bolshevism' in the Katyn Forest graves."

*29. The reaction of the local population to the German "Katyn provocation."*

The Report stated that after completing all the preparatory work on the Katyn graves the German had launched "a wide campaign in the Press and over the radio in an attempt to ascribe to the Soviet Power atrocities they themselves had committed against Polish war prisoners. As one method of provocation agitation, the Germans arranged visits to the Katyn graves by residents of Smolensk and its suburbs as well as 'delegations' from countries occupied by the Germans invaders of their vassals."

The Special Commission did not fail to interrogate a number of persons who had taken part in the "excursions" to the Katyn Graves. All of them had agreed, allegedly, that the clothing of the bodies, the metal parts of the clothing, the footwear, as well as the bodies themselves had been in a good state of preservation.

The Report of the Special Commission quoted an excerpt from a statement made by a specially qualified witness, former Medico-Legal Expert in Smolensk, a pathologist, Zhukov, who confirmed that "the clothing of the bodies, particularly the greatcoats, boots and belts, were in a good state of preservation. The metal parts of the clothing—belt buckles, hooks and spikes on shoe soles etc.—were not heavily rusted, and in some cases the metal still retained its polish. Sections of the skin of the bodies which could be seen—faces, necks, arms—were chiefly a dirty green color, and in some cases dirty brown, but there was no complete disintegration of the tissues, no putrefaction. In some cases bared tendons of whitish color and parts of muscles could be seen.

"While I was at the excavations people were at work sorting and extracting bodies at the bottom of a big pit. For this purpose they used spades and other tools, and also took hold of bodies with their hands and dragged them from place to place by the arms, the legs, or the clothing. I did not see a single case of bodies falling apart or of any member being torn off."

Taking into consideration all these direct observations the expert Soviet doctor visiting the Katyn graves had reached the conclusion that "the mass shooting of the Poles had taken place about a year and a half ago, and could have occurred in the Autumn of 1941 or in the Spring of 1942. As a result of my visit to the excavation site I became firmly convinced that a monstrous crime had been committed by the Germans."

While not doubting this expert opinion, one may be allowed to express astonishment that he made no mention of those bodies in the Katyn graves which had been added later, in fact barely a few weeks prior to their "official" discovery, when—according to the Report of the Soviet Commission, they had been brought by trucks from other places.

Being present when the graves were opened "in April 1943," a pathologist and medico-legal expert could hardly have failed to notice that they contained bodies which had not been originally buried in them, but had been added at a later date. Neither could he have passed this observation over in silence when making his deposition to the Special Commission.

"The 'excursions' ",—said the last chapter of the Report of the Special Commission—"organised by the Germans failed to achieve their aim. All who visited the graves saw for themselves that they were confronted with the crudest and most obvious German-Fascist frame-up. The Germans authorities accordingly took steps to make the doubters keep quiet. The Special Commission heard the testimony of a great number of witnesses who related how the German authorities persecuted those who doubted or disbelieved the provocation. These doubters were discharged from work, arrested, threatened with shooting.

"The Commission established that in two cases people were shot for failure to 'hold their tongues'. Such reprisals were taken against the former German policeman Zagainev and against Yegorov, who worked on the excavation of the graves in Katyn Forest."

After mentioning two names of witnesses who had made statements concerning the German persecution of people who expressed their doubts after visiting the graves in the Katyn Forest, the Report quoted an excerpt from a statement made by Yakovlev-Sokolov, former Chief of the Katyn Police during the German occupation. This man testified that owing to the reaction of the local population after visiting the graves "a situation arose which caused serious alarm in the German Commandant's Office, and the police organs in the periphery were given urgent instruction to nip in the bud all harmful talk at any price, and arrest all persons who expressed disbelief in the 'Katyn Affair'."

The witness said that he had himself, as Chief of the police in the execution of these German instructions "ordered the police to detain and bring to the police station anyone who expressed disbelief or doubted the truth of German reports

about the shooting of Polish war prisoners by the Bolsheviks." Now, however, Soviet authority, having been restored, he was able to confess sincerely that "in fulfilling these instructions of the German authorities I clearly acted against my conscience, as I myself was certain that the 'Katyn Affair' was a German frame-up. I became finally convinced of that when I myself made an 'excursion' to Katyn Forest."

The Report continued:

"Seeing that the Summer of 1943 'excursions' of the local population to the Katyn graves did not achieve their purpose, the German excavation authorities ordered the graves to be filled in. Before their retreat from Smolensk they began hastily to cover up the traces of their crimes. The country house occupied by the 'H. Q. of the 537th Building Battalion' was burned to the ground."

It said that the Germans had searched for other witnesses—who had subsequently testified to the Soviet Special Commission—but that they had failed to catch them. "The German-Fascist invaders did not succeed in covering up the traces of or concealing their crime"—concludes the Report of the Special Commission. The genuine depositions of witnesses who escaped the Germans, the medico-legal experts' investigation, the fresh exhumation of the bodies and other proofs accumulated by the Soviet Special Commission, permitted the Russians to establish the Soviet "truth about Katyn". They "proved irrefutably that the Polish war prisoners were shot by the Germans themselves."

### 30. Soviet Medico-Legal Experts' Investigation.

The protocol of the Soviet Medico-Legal Experts' Investigation, attached to the report of the Special Commission, established that the exhumation and medico-legal examination of the Katyn bodies carried out by the above-mentioned experts (See page 345-6) took place in the Katyn forest in the period 16th-23rd January, 1944, with the aim of discovering:

- a. the identity of the dead,
- b. causes of death,
- c. time of burial.

On the basis of the results of the medico-legal examination of the bodies the Commission of medico-legal experts arrived at the following conclusions:

1. that victims were mostly Polish war prisoners; the number of bodies in civilian clothing, in relation to the total number of bodies examined, was insignificant, in all two out of 925 exhumed bodies;
2. that the clothing on the bodies of the war prisoners showed that they were officers, and included some privates of the Polish Forces. The ratio of officers' bodies to the bodies of privates was not given;
3. that the fabric of the clothes, especially of greatcoats, uniforms, trousers and tunics, was in a good state of preservation and could "be torn off with the hands only with great difficulty";<sup>1</sup>
4. that the condition of the clothes on the bodies—namely the fact that uniform jackets, shirts, belts, trousers and underwear were buttoned up, boots or shoes were on the feet, scarves and ties tied round the necks, suspenders attached, shirts tucked in, testified that no external examination of the bodies and extremities of the bodies had been effected previously.
5. that although on the whole the clothing on the bodies bore traces of them having been searched, (slit pockets, turned and torn pockets, etc.) yet "in some cases whole pockets were found during examination of the clothing, scraps of newspapers, prayer books, pocket books, postage stamps, postcards and letters, receipts, notes and other documents, as well as articles of value (a gold nugget, dollars). Pipes, pocket knives, cigarette papers, handkerchiefs and other articles were found in these pockets as well as in the turned-out and torn pockets, under the lining in the belts of the coats, in footwear and socks."

The Soviet Commission of Experts found that the fact that valuable articles and documents were found on the bodies proves "that the German-Fascist authorities who undertook "a search of the bodies in the Spring-Summer season of 1943, did not do it thoroughly."

It should be emphasised that the Soviet medico-legal expert did not take into consideration the fact that according to the Report—the Katyn bodies had been searched, prior to their exhumation in January 1944, not once, but twice; the first time in March 1943 and the second time in April and May 1943.

<sup>1</sup> This statement of the Soviet Experts' Commission is interesting if we remember that, according to the Russian version, Polish officers were taken to three "special" camps near Smolensk in April 1940 where they were supposed to have been working on road construction until September 1941. As a result of heavy manual labour, their uniforms must have undergone extensive wear and the fabric would not therefore have been well preserved.

The first search was supposed to have been carried out by Soviet prisoners of war under the supervision of German officers. We have no data concerning this search. From the report of the Soviet Special Commission we only learn that it took about a month, that it was carried out, by 500 specially selected diggers, who had been given very strict instructions to search thoroughly the bodies.

The second search—as described in German “Amtliches Material”—was at first carried out by Russian civilian workers under the supervision of German authorities, and subsequently under the supervision and with the participation of the professional team of the Polish Red Cross. It was carried out systematically, as testified to by the comparatively slow rate of exhumation and inspection of the seven Katyn graves. The inspection lasted for 68 days with a maximum daily exhumation and inspection of 100–120 bodies and a daily average of 61 bodies (see above, page 312).

The articles found during the second search had been carefully listed and placed in special bags provided with the file numbers of the bodies. The articles found during the exhumation of the bodies in April–May 1943 were inspected by thousands of people and photographs of many of them circulated all over the world. The German Amtliches Material, which published lists of the bodies found in Katyn, some 70 per cent of which were identified, appended lists of articles found on each body.

The exhumation carried out by the Soviet authorities in January 1944, and the search and medico-legal examinations of the bodies lasted for eight days. 925 bodies were exhumed—i. e. the daily average was 115. Considering that the Soviet exhumation took place in conditions far less favourable than those of the German exhumation (frozen ground, much shorter days, wintery weather) it must be agreed that the daily average achieved by them (115) which equals, or even exceeds the Germany daily maximum (100–120) was very high indeed. The speed with which the bodies were inspected must have been much greater than in April–May 1943. Obviously the technique of exhumation is far from easy and requires extensive experience and skill. In principle failure to detect small articles, especially when deeply hidden in the clothing of the bodies was quite possible and even likely, especially during the first stages of exhumation, before the personnel engaged in this task had acquired experience and practice.

Yet it appears from the official and unofficial data that during the Soviet inspection and examination not only numerous small articles but very many things including easily detectable articles, such as gold nuggets, gold dollars, penknives, pipes, prayer books and even—as described by the special correspondent of the Moscow-inspired “*Wolna Polska*”—medals and regimental colours were found on the bodies.<sup>1</sup>

The failure to detect such articles during two examinations which lasted at least 68 days and (if we count the “unofficial examination” disclosed by the Soviet Report) possibly three months, would show inexcusable and, with regard to the professional team of the Polish Red Cross, most improbable carelessness on the part of the persons carrying out the examination. The material and documentary value of the articles found during the eight days of the Soviet examination would prove on the contrary, not only the extraordinary scrupulousness of the persons carrying out the search, but also their unusual skill in this kind of work—or possibly—their extraordinary luck. It should be emphasized that all the written documents listed in the appendix to the report of the Soviet Special Commission which proved “irrefutably” that the Katyn murders took place after June 1941, were found on the first hundred bodies exhumed by Soviet officials. No. 101 is the highest file number of the bodies mentioned in this list.

Neither the Report of the Special Commission nor the Protocol of the Medico-Legal Experts’ examination disclosed what method the Soviet authorities had used in the exhumation and search of the bodies. We do not know, either, whether and to what extent the bodies were identified. Nor do we know to what the file numbers of the bodies mentioned above, referred.

The Soviet authorities did not publish either a list of the exhumed bodies, or a complete inventory of all documents and articles found on them, during the Soviet examination, nor indeed the name of a single exhumed and identified body. The fact that they gave several file numbers of the bodies, on which especially important documents were found, does not permit us to identify these bodies or to relate in any way whatever the documents found on them by the Russians to the articles and written documents which had been removed from them by the Germans during the search.

<sup>1</sup> “One of them, wearing a Colonel’s uniform with Polish medals; on another his regimental standard—that of an artillery regiment—was found hidden on his breast.” (See *Wolna Polska* No. 5/45 dated 1.2.1944).

6. very small proportion of the bodies (20 out of 925) had the hands tied behind the back with woven cords.

7. that the lack of incisions on the skin of the head, breast or abdomens of most of the bodies proves that the Germans had carried out no medical-legal examinations of the "bodies". Out of 925 exhumed bodies incisions were found only on three bodies.

8. that detailed examination of the bodies proves the existence of bullet wounds on the head and neck, combined in four cases with injury to the bones of the cranium caused by a blunt hard heavy object; the entry orifices of the bullets led the Commission to conclude that the victims had been shot with fire arms, mostly of the 7.65 calibre, and to a smaller extent, with 9 mm. calibre; "the shots were fired from behind with the head bent forwards . . . The injuries inflicted by a blunt, hard heavy object found on the parietal bones of the cranium were concurrent with the bullet wounds of the head, and were not in themselves the cause of death."

These last three conclusions of the Soviet Expert Commission agreed in general with the facts as presented in the German Amtliches Material.

9. That a medico-legal examination of the bodies showed that they were not in a condition of decomposition but in the initial phase of desiccation and of formation of adipocere. Formation of adipocere was in an advanced phase in the bodies at the bottom of the graves. The limbs, trunks and internal organs had preserved their structure and almost normal colour and the brain its characteristic structural peculiarities.

10. That the properties of the soil in the place of discovery were of significance in the preservation of the bodies. As a result of the opening of the graves and the exposure of the bodies to the action of the warmth and moisture in the late Summer of 1943 a vigorous progress of decay could have resulted. But the good state of preservation of the muscles and internal organs as well as of the clothes gave grounds for affirming that the bodies had not remained in the earth for long.

Since it was believed that many of the bodies had been brought from elsewhere and put into the graves only nine months before to be subsequently exhumed and reburied by the Germans, the significance of the properties of the soil in the place of discovery can not have been so great as at first believed.<sup>1</sup> Moreover the medico-legal experts gave no explanation of why the action on them of warmth and moisture should have been so unusually mild.

11. That a comparison of the condition of the bodies in the grave on the territory of "Kose Gory" with the conditions of the bodies in the burial places in Smolensk and its environs admitted of the conclusion that the bodies of the Polish war prisoners had been buried at Kose Gory two years before, and that this was completely corroborated by the documents found in the clothes on the bodies. "Some of the documents found contain data referring to the period between November 12th 1940 and June 20th 1941." These documents which had not apparently had to be specially treated before becoming decipherable, proved to the satisfaction of the Commission that the victims had been alive at the outbreak of the Soviet-German war.

In their summing up of all this evidence the Commission of medico-legal experts concluded that the Polish war prisoners had been killed by shooting "about two years ago, i. e. between September and December of 1941."

It is rather surprising that the medico-legal experts made no mention either in the Protocol of their investigation or in the conclusion, based on the results of their expert examination of the bodies, of the total number of bodies found at "Kose Gory", especially in view of the fact that the Introduction to the Report as a whole indicated, that, the number as "calculated by the medico-legal experts is 11,000."

### *31. Documents found on the bodies.*

In the Report the signatures of the medico-legal experts were placed at the end of their Conclusions and after them the Report listed the documents found by them on the bodies, which it considered were deserving of "special attention".

Of these there were nine in all, found on six bodies which were not identified by the Commission but only numbered.

By a strange coincidence although in all 925 bodies had been exhumed, according to the Report, the body bearing the highest number on which such documents had been found was No. 101. It may of course have been the case that all the

<sup>1</sup> These bodies having already been in a sufficiently advanced state of decay to give forth "a heavy stench of putrifying flesh", in March. (See above).

important documents from the Commissions point of view had been found in the hundred or so bodies lying in the upper layers of the graves.

These revealing documents were not listed in the Report in any particular order nor were they given as one might have expected, in the order of the numbers of the bodies on which they were found. Those body numbers were not listed in numerical order and, where more than one document had been found on the same body, it was listed as a separate item and not grouped with the other documents from the body, so that the same body number appeared several times in the list. This arrangement naturally makes the analysis of the documents unnecessarily difficult.

The analysis however, of the contents of the documents as given in the Report is very interesting. They fall into three groups:—

1. Letters.
2. Receipts.
3. An ikon.

1. Three letters were said to have been found:

a. A postcard stamped at Tarnopol on November 12th, 1940, bearing no text or address ("written text and address are discoloured.") Found on body No. 4.

b. A letter from Warsaw dated September 12th, 1940, addressed to the Central War Prisoners Bureau of the Red Cross, Moscow, and written by the wife of one Tomasz Zigon, enquiring after his whereabouts. This letter bore the stamp of Central Post Office, Moscow and an anonymous inscription in Russian: "Ascertain and forward for delivery, November 15th, 1940." Found on body No. 92.

c. An unmailed post card addressed to Warsaw by one Stanislaw Kuczinski and dated June 20th, 1941. Found on body No. 53.

2. Five receipts were found made out to two people and given by the Soviet Authorities.

a. Three were made out to one Araszkevicz. The first dated 16th December, 1939 for a gold watch, had been issued at Starobielsk camp. On the back it bore a note dated 25th March, 1941, stating that the watch had been sold to the Jewellery Trading Trust. It was not said whether this note had been signed.

The second was dated 6th April, 1941, issued at Camp 1, O. M., for an unknown sum of roubles. (In the Edition of the Report published in Polish the sum is given as 226 roubles).

The third was dated May 5th, 1941, issued at camp 1, O. M. for 102 roubles.

All three documents said to have been found on the same body, No. 46, were numbered on the list given in the Report as 4, 6 & 7.

b. Two receipts said to have been found on body No. 101 were made out to one Lewandowski. The first dated 19th December, 1939, issued at Kozielsk camp, was for a gold watch and bore a similar inscription on the back about the watch, having been sold to the Jewellery Trading Trust dated 14th March, 1941.

The second issued at camp, 1 O. N. on 15th May, 1941, was made out for 175 roubles. On the list these documents were numbered 3 and 8.

3. The paper "ikon".

The paper "ikon", with the image of Christ was said to have been found on body No. 71. This body was not identified in the Report, although care was taken to point out that the picture was found "between pages 144 and 145 of a Catholic prayer book." This "ikon" was said to have borne the inscription "Jadwiga" and the date 4th April, 1941. This date found on the paper "ikon" unrelated to anything except a womans name and therefore establishing nothing as to the date of death of the owner, hardly seems to have deserved the "special attention" accorded to it by the Commission.

In considering the list of documents as a whole, the following reflections spring to mind. The Soviet reaction to the Katyn Revelations was much concerned from first to last with the documents found on the bodies in the graves. Very early on they asserted that the documents which the Germans declared had been found in the graves had, in reality, been taken from the archives of the Gestapo and placed on the bodies by the Germans themselves.

The same accusation was brought against the Germans in the report of the Special Commission, namely in the testimony of Moskovskaya when she related how Yegorev had told her that "the Germans made the prisoners put into the pockets of the Polish officers some papers which they took from cases and suitcases (I don't remember exactly) which they had brought along."



By giving so much prominence to the whole question of the documents found with the bodies, and stressing their belief that they had been planted by the Germans, the Russians to some extent, laid themselves open to the possibility of similar accusations being brought against themselves. In this connection it might well be pointed out that the documents found in the Spring of 1943 and inspected by the Polish professional team, the "International Commission" and many journalists and visitors, were mostly personal papers, photographs of which were published throughout the world. Those described by the Russian medico-legal experts were in no case personal documents and all but one (the "ikon") had either been issued by the Russian authorities themselves or had passed through their hands. They were moreover only made known to the public by the vague description of them found in the Report itself.

### *32. Final conclusions of Special Soviet Commission.*

At the end of the Report of the Special Commission were put the conclusions which it considered, on the basis of the evidence presented to it, emerged "with irrefutable clarity." These conclusions were as follows:—

1. The Polish prisoners of war who were in the three camps West of Smolensk, and employed on road building before the outbreak of war, remained there after the German invaders reached Smolensk, until September 1941, inclusive.

2. In the Katyn Forest, in the Autumn of 1941, the German occupation authorities carried out mass shootings of Polish prisoners of war from the above-named camps.

3. The mass shootings of Polish prisoners of war in the Katyn Forest was carried out by a German military organisation hiding behind the conventional name "H. Q. of the 537th Engineering Battalion", which consisted of Oberst Leutnant Arnes, his assistant, Oberst Leutnant Rekst, and Lieutenant Hott.

4. In connection with the deterioration of the general military and political situation for Germany at the beginning of the year 1943, the German occupation authorities, with provocation aims, took a number of steps in order to ascribe their own crimes to the organs of the Soviet Power, calculating on setting Russians and Poles at loggerheads.

5. With this aim, (a) the German-Fascist invaders, using persuasion, attempts at bribery, threats and barbarous torture, tried to find witnesses among Soviet citizens, from whom they tried to extort false evidence alleging that the Polish prisoners of war had been shot by the organs of Soviet Power in the spring of 1940; (b) the German occupation authorities in the Spring of 1943 brought in from other districts bodies of Polish war prisoners whom they had shot and put them into the open graves in the Katyn Forest, calculating on covering up the traces of their own crimes, and on increasing the number of "victims of Bolshevik atrocities" in the Katyn Forest; (c) preparing for their provocation, the German occupation authorities started opening the graves in the Katyn Forest in order to take out documents and material evidence which exposed them, using for this work about 500 Russian prisoners of war who were shot by the Germans after the work was completed.

6. It has been established beyond doubt from the evidence of the medico-legal experts, that (a) the time of the shooting was the Autumn of 1941; (b) in shooting the Polish war prisoners the German hangmen applied the same method of pistol shots in the back of the head as they applied in the mass execution of Soviet citizens, in other towns, e. g., Orel, Voronezh, Krasnodar and Smolensk itself.

7. The conclusions drawn from the evidence given by witnesses, and from the shooting of Polish war prisoners by the Germans in the Autumn of 1941, are completely confirmed by the material evidence and documents excavated from the Katyn graves.

8. In shooting the Polish war prisoners in the Katyn Forest, the German-Fascist invaders consistently carried out their policy of physical extermination of the Slav peoples.

### **CONCLUSION. WILL THE MYSTERY OF KATYN EVER BE SOLVED?**

#### *33. Katyn affair used for Russian propaganda.*

The conclusions set out in the final chapter of the Report of the Special Commission were regarded throughout the length and breadth of Soviet controlled territory as having cleared up the whole question of the Katyn murders. The Report of 24.1.44, was considered to have solved all the mysteries and dispelled

any doubts there may have been as to the fate of the "missing" Polish prisoners of war. All the Polish P. O. W.'s, both officers and men "missing in the U. S. S. R." were held, to have been without doubt, murdered by the Germans in the Autumn of 1941 and their bodies to be lying in the Katyn graves.

These convenient conclusions went unchallenged by the whole Soviet and pro-Soviet press and were also used for Soviet propaganda to encourage the soldiers fighting for Russia to fight yet harder against the Germans in order to take their "Revenge for Katyn". This propaganda was naturally directed particularly at the Red Polish Army organised by Berling on the Soviet side (see p. 278).

Side by side with the Report of the Special Commission, "Wolna Polska" the Moscow organ of the Union of Polish Patriots published a pathetic article by Wanda Wasilewska in which this Member of the Supreme Council of the U. S. S. R. wrote: "For the third time the Katyn graves have been opened. This time to reveal to all the world a terrible truth. To bear witness to one more German crime committed against the Polish people. The prisoners, helpless men, were murdered in cold blood, quietly, systematically shot by a revolver in the back of the head. Piled into a common grave were regular officers, engineers, doctors, more than 10,000 Polish intelligentsia who because of war had donned military uniform. . . .

"But our dead were once more touched by filthy German paws. The Germans dragged out of their graves the corpses of their victims and uttered throughout the whole world a base lie. By beating, torturing, and bribing their conjured up witnesses. . . . The Germans, their servants and accomplices, started to prey upon the corpses of the Polish officers. Out of one of the greatest tragedies of Poland they made a dirty, ignominious game; they transformed the blood of martyrs into a foul stream. . . .

"The blood of Katyn Forest implores us to revenge it, inexorably, mercilessly. Listen to that voice, Soldiers, of our Corps! Not for one moment may you be allowed to forget the horrible death of our brothers, brother soldiers, who were murdered as by brigands, who were driven helpless into the pits that were to be their graves, who were shoved into a common ditch who were afterwards dragged out of the grave in the same way as dead bodies are dragged about by jackals and hyenas and preyed upon the same way as hyenas and jackals prey upon corpses. When you go to the West, when you strike the enemy in the chest, don't forget to add 'For Katyn.'"

On 30.1.1944, shortly after the publication of the Report of the Special Commission, a religious service and a great parade of the Red Polish troops were held at the Katyn cemetery. The priest, one Kubsz, who celebrated the Mass declared in his sermon that the immediate cause of the murders was the conclusion in July 1941 of the Polish-Soviet Pact which proclaimed the rebirth of the Polish Army. He besought the Lord to "fill our hearts with undying hatred of the enemy, unlimited courage, and daring in the fight for the liberation of our beloved Fatherland."

The Commander of Corps, the former Polish Lt. Col. Berling, in his speech at the parade declared:

"Our inexorable foe—the German,—wishes to destroy our whole nation because he desires to seize our land. The earth on which we Poles have, for centuries, lived. That is why the Germans destroy and murder our brothers in Poland. . . . That is why they murdered here in Katyn forest the Polish officers and men. The blood of our brothers which was spilled in this forest, cries out for revenge.—

"Now we have arms in our hands, arms given to us by a friendly neighbour—ally, by the Soviet Union. We must use these arms to liberate our oppressed Fatherland and to revenge the unheard of crime committed here by the Germans. Remember men and officers, remember the voices of our murdered brothers which call to us. We must answer this call."

The Deputy Commander of the Corps, Major A. Zavadzki, a Soviet citizen and for many years an officer of N. K. V. D. troops,<sup>1</sup> proclaimed:

"Here in a vast common grave lie 11,000 of our countrymen, officers and men of the Polish Army. Here was murdered by the Hitlerites the flower of our nation. They were murdered because they were Poles. . . . We are grateful to the Soviet Union for investigating this whole affair, for elucidating this truth about which we were not in doubt but which is now irrefutably proved. With arms in our hands we will return home and we will return proclaiming the truth of the awful Hitlerite crime."

"Let the blood of our murdered brothers kindle in our hearts, hatred of the enemy, the German. We will be, in the fight, unyielding, fearless and we shall

<sup>1</sup> Zavadzki now in Poland is a General and Governor of Silesia.

not rest until the ashes of the victims of this murder will be taken to their Fatherland with full honours. Let the crime committed here enforce once more our wish and decision to fight a deadly fight with the enemy. To go and be victorious."

Speeches of this kind were repeated at meetings over and over again during a campaign which was organised throughout the whole Soviet Union and during the course of which money was collected for the formation of a column of tanks to be called "Revenger of Katyn". This propaganda was not limited to Poles deported some years before to Russia, but was also directed at Soviet citizens in general and the Red Army in particular.

According to the *Wolna Polska* No. 7/48, a large boarding was put up by the road side of the much frequented Smolensk-Vitebsk road leading to the front, just at the point where the path to the "tragic forest" branched off, which said, in Russian:

"Here in Katyn Forest in the Autumn of 1941 the Hitlerite scoundrels have shot 11,000 Polish prisoners of war, men and officers. Warriors of the Red Army revenge them."

#### *34. Attitude of Western public opinion to the conclusions of the Soviet Report.*

The conclusions of the Report of the Special Commission which were accepted as being the whole truth about Katyn in Soviet Russia and the countries in her sphere of influence, were received with much more reserve by the Western Powers. The results of the Soviet investigations were published in nearly all the British and American papers as early as 25.1.44. The papers, however, carrying at the same time, the news that the Soviets had rejected the American offer of mediation to bring about the renewal of the Polish-Soviet talks and Mr. Eden's declaration that His Majesty's Government would not recognise any territorial changes made during the course of the war, mostly confined themselves to describing the Report and its conclusions without accepting or rejecting them.

Apart from the Communist papers which adopted the Soviet attitude towards the Report, the "News Chronicle" was the only one of the London dailies which, in an Editorial on 28.1.44 assuring the Polish Government that by accepting the conclusions of the Report they would make the solution of the Soviet-Polish conflict more possible can be said to have taken a definite line. This Liberal paper did not at that time know of the creation by the Communists in Warsaw, on the night of January 1st, 1944, of the so-called Home National Council which intended to become a rival political centre to the legal Polish Government,<sup>1</sup> and therefore took the *Tass* communiqué of 17.1.44 quite seriously when it said that only the position taken by the Polish Government over the Katyn affair prevented the resumption of normal friendly relations by the two governments (See above page 341).

Independent and detached, opinion in Britain found expression in the *Spectator* which wrote in the number published on January 28th, 1944, that the conclusions of the Report of the Soviet Commission could be neither accepted nor rejected without careful and cool examination of all the proofs on which they were based. As such careful and impartial examination of the proofs was clearly impossible, the British Press in general forbore to comment on it and maintained a reserved silence.

Despite, or perhaps because of the efforts of the Soviet censorship, the few reports written by the Anglo-Saxon journalists who had visited Katyn did not make a strong impression. They mostly confined themselves to accounts of the facts and conclusions set out in the Soviet Report and they betrayed a certain amount of insincerity in content and clumsiness in construction, unexpected in articles by journalists of that standing.

The silence that followed the initial reactions to the publication of the Soviet explanation lasted unbroken until in January 1945, W. L. White published in the U. S. A. his book "Report on the Russians". In this book he dared publicly to raise the question of the murder of the Polish officers and he did this significantly enough in connection with his remarks about the working of the Soviet censorship.

After stating that—

"Russia has the most rigid political censorship in the civilised world".

he referred to talks he had had with the foreign correspondents in Moscow, the same correspondents who had visited Katyn.

He quoted their opinion—

"the most severe political censorship was imposed on their stories of the Katyn Forest Massacre" and

<sup>1</sup> H. N. C. was afterwards joined by the Union of Polish Patriots and still exists in place of the Polish Parliament, the President being Mr. Bierut.

and emphasizing that these correspondents

"trained observers—believed even before they went (to Katyn) that the Germans had done the killing" added:

"even so, Moscow censorship struck out all the qualifying phrases". He gave the following examples of such censorship:—

"If a reporter would write '*I am not a medical expert but doctors say* the condition of these bodies prove they were murdered by the Germans', the censorship would strike out the qualifying phrase . . . leaving only the bare charge.

"Also stricken out were all phases indicating any doubt in the correspondents minds—such as words 'in my opinion' 'probably' or 'evidence we were shown would tend to prove' with the result that the stories as received in America were as firmly damning of the Germans as Pravda's editorials." (Page 134).

Probably White talked over the Katyn Affair at some length with the foreign correspondents but whether he did so or not, in his opinion the conclusions put forward in the Soviet Report were not completely convincing. It was nearly a year after the publication of this Report when he wrote in his book that "the Katyn Forest Massacre, which . . . subject is one of the most delicate of the war strung around a plot as exciting as any detective 'who-done-it'." (Page 127.)

"Katyn Forest is near Smolensk and it is the grave of some 10,000 Poles, mostly officers, who were shot in the back of the head. On these facts everyone agrees. But on whether this slaughter of helpless war prisoners was done by Russians or Germans there is violent disagreement and some evidence both ways." (Page 128).

### 35. *Difficulties of solving the Katyn mystery.*

Mr. White, it may be said, somewhat under-estimated the situation when he said that the "violent disagreement" over the Katyn Affair was limited to the question of "who done it", Russians or Germans. Undoubtedly the question of who did it is the most important one but there are other disputable questions more or less connected with it. These are firstly, the question of the date of the murder, secondly the question of the method of the murder, thirdly the question of the object of the murder, fourthly the question of the number of victims involved in the murder, etc. On the question of numbers of victims, in spite of White's assertion to the contrary, there is no common agreement. It is true that the Soviets after many contradictory declarations and denials in the end accepted the thesis put forward from the very beginning by the German propaganda that there were in the Katyn graves more than 10,000 bodies but, as is shown above, PART THREE, (Pages 322–329), these figures cannot be correct as the graves themselves could not, in fact, have held such a large number of bodies.

Assuming therefore that in the Katyn Affair only one fact can be taken as certain, namely, that of the finding in the Katyn Forest, of a number of the bodies of the Polish officers who were missing in the U. S. S. R., let us now try on the basis of the material presented in these notes to make our contribution to the unravelling of the whole Katyn mystery. The question of who was responsible for the massacre will undoubtedly remain the most fundamental one but, in order to reach a definite decision on this point, it may be helpful to elucidate some of the other obscure problems connected with it.

In our attempt to solve the problem of who committed the murders, we must from the start, realise that it is not possible to identify individual murderers. There were certainly many of them acting on orders issued to them from above and originating with the competent state authorities, either Russian or German. That these orders were issued by one or other of these two state authorities is indisputable, all the possibilities are excluded.

The possibility that such orders could have been given by the Russian authorities was accepted at the time of the Katyn Revelations in many quarters. G. Westin Silverstolpe published in 1943 a series of articles in the Swedish journal "Nu" in which he adopted a particularly critical attitude to the German thesis about the discovery of the graves but nevertheless, in replying in one of these articles to a letter of the distinguished Finnish historian Dr. Hornborg, he did not, theoretically, exclude the possibility of Russian guilt as he wrote "In my opinion it (Russian guilt) is quite possible. I have no doubt that the Russians are quite capable of murder en masse with the object of exterminating the upper classes of the nation which they desire to subject and render defenceless."

Further the President of the executive Committee of the British Labour Party, Professor Harold Laski, did not at that time exclude the possibility of Russian responsibility for the massacre. He wrote in Reynolds News of 2.5.43.

"The Russians are capable of ghastly blunders as the executions of Alter and Erhlich show, but I should want better evidence than a Nazi statement before I

accepted the possibility that they could be guilty of so grim a horror, so certain to leave ineffaceable memories."

Leaving aside all irrelevant factors, in particular the fact that the two accused Powers were fighting on opposite sides, we shall start by assuming that it was equally possible for the murders to have been committed either by the Germans or by the Russian authorities. There is however one further preliminary observation to be made, namely, that the material evidence of the crime,—Katyn Forest, the graves, the corpses of the victims, and the objects and documents found with them, etc.—have always been and still are in the exclusive possession of the authorities of the States accused of the crime. Because of the attitude taken by the Russians to the proposed investigation of the International Red Cross, the material evidence was never made accessible to a completely impartial and independent body with the result that we are dealing only with written descriptions of the actual evidence which themselves emanate from either one or other of the accused Powers. These descriptions, if not directly published by the German or Russian authorities, have come from the reports of neutral observers or Anglo-Saxon journalists and have therefore been submitted to the censorship control or influence of one of the Great Powers concerned.

This means that in attempting to solve the Katyn mystery we must treat the evidence with great caution and considerable scepticism. Having based our enquiry on the supposition that there is an equal probability of the murders having been committed either by the Germans or by the Russians, it is necessary to realise that the evidence emanating from either side will be only such as to exonerate the one and exculpate the other. Moreover as the evidence was used by both sides for propaganda purposes, the documents concerned were naturally adapted to this end. Therefore, only a very thorough analysis of them involving a careful comparison and a critical attention to detail, can reveal the gaps in evidence and make it possible to fill them, while setting aside the more or less evident falsehoods incorporated to establish for propaganda purposes the innocence of the interested party and the guilt of the other.

The evidence produced by both sides will therefore be subject to the same measure of distrust and consideration will not be given to the fact that the German censorship was or appears to have been less severe than the Russian, that the Germans made it possible for a much greater number of people to inspect the graves and their contents than did the Russians that the Germans organised an investigation by at least a quasi neutral "European" Commission etc. etc. Appropos of this last point, W. L. White remarked that "if the German Commission was a 90% Axis party, the Russian Commission was a 100% Soviet picnic" and in doing so he probably rather overestimated the German influence over the Commission.

It is furthermore imperative, in attempting to discover the real truth, to work only on the basis of the material evidence, and to resist the suggestive effects of the distinguished names, used by both sides, to establish the genuineness of the evidence presented by them. G. W. Silverstolpe in an article in "Nu" (No. 31) severely criticising the Protocol of the so called "European Committee of Experts," signed by a dozen Professors of Medicine of European universities, wrote: "In these days the title of Doctor and Professor is a poor guarantee of scientific objectivity and resistance to influence." Accepting this statement as true we must adopt a similar attitude with regard to academicians, world famous authors, and bishops. The authority of their names must not be allowed, by itself, to give authenticity to the facts or support to the arguments set out in documents bearing their signatures.

### *36. Number of Polish officers in Soviet captivity in April 1940.*

Up till the time of the commencement of the liquidation by the Soviets of the three P. O. W. camps at Kozielsk, Starobielsk and Ostashkov in April 1940, we have comparatively detailed information about the fate of the officers confined in them. This information comes from letters written to their families, notes and diaries kept by them and evidence supplied by about 400 of their fellow prisoners who were not "missing" but "found" in August 1941 in the camp at Griassovietz. (See Chapter VI.) From this evidence it is apparent that the number of people afterwards found was barely 3% of the whole population of the three camps, it therefore follows that more than 97% of the total number of prisoners in the camps were "missing." It was however, very difficult to establish the exact number of "missing" prisoners, officers and men, and even more difficult to draw up detailed lists of their names. Despite the fact that detailed records of every prisoner in each camp were made by the Soviet authorities and that their names were many times listed for different purposes as is known from the evidence given by all those

who were later "found," and in spite also of the repeated requests, made by the representatives of the Polish Government from May 1941, to April 1943, the Soviet authorities at no time, either before or after the Katyn Revelations, published a list of the names of Polish officers in Soviet captivity or divulged the total numbers or indicated the exact number held in each camp.

Although on 17.9.40 Red Star published two articles from which it appeared that the total number of Polish officers captured by the Soviets was more than 10,000 (see page 14)—not counting those people afterwards arrested by the occupying Authorities as being officers,—in August 1941 the Soviet representatives gave the total number as being about 1,000, (see page 143) without in any way attempting to explain the great divergence in the totals. During the prolonged negotiations, described in PART TWO of these notes, they confined themselves to querying the numbers quoted by the Polish representatives (see pages 170 and 171) but did not themselves give any definite number, nor did they keep the promises given by them many times to the Polish Authorities of handing over a list of names of the officers still in captivity. On the contrary they several times demanded such lists from the Poles. (See pages 172 and 178.)

Lists containing about 5,000 names were in fact, put into Stalin's hands on 3.12.41 and 18.3.42 (See pages 191 and 211), but this action produced no statement about the numbers involved from the Soviet side. During the final conversation on the subject of the "missing" prisoners, held on 8.7.42., Vyshinsky categorically denied that the Soviets had in their possession any list of names of prisoners from the respective camps in spite of the fact that there is plenty of evidence to prove that such lists were many times compiled. (See page 222.)

When the Germans issued their first communiqué about the Katyn discoveries on 13.4.43 they gave the total number of Katyn victims as more than 10,000, this number being obviously based on the figures published in the articles in Red Star. The Soviets at first denied the truth of those figures declaring, in accordance with Vyshinsky's remarks in his conversation with Kot, that that number of Polish officers had never been in Soviet captivity. A very characteristic example of the position taken by Soviet representatives at that time is found in the remarks made by Major Paul Baraev, Deputy Soviet Military Attaché in Washington on 23.4.43, when he referred en passant to the recent Katyn Revelations and expressed the opinion that the arguments put forth by German propaganda that 10,000 officers had been murdered in one month were so improbable that no intelligent man could believe in statements of that kind. He also said that the number of 10,000 was probably a gross exaggeration and that in his opinion there had been no more than 2,000 Polish officers in Soviet captivity and that all those had been in due course released.

The first Soviet Communiqué of 15.4.43 made no mention of the number of Polish prisoners of war which it was said had fallen into German hands (see page 247). The second one, of 18.4.43, referred generally to "some" and "a certain number" and no figures were given in the Soviet Press at that time. But, when the Report of the Special Soviet Commission of 24.1.44 mentioned en passant, that "the total number of bodies, as calculated by the medico-legal experts, is 11,000," that number was officially accepted by the Soviet authorities and used by them in their propaganda<sup>1</sup> as the total number of Polish prisoners of war both officers and men, without any reference to the relative numbers of each, who had fallen into German hands and had afterwards been killed by them.

Since the Soviet authorities who alone were in possession of the exact number and categories of Polish prisoners who were in Kozielsk, Starobielsk and Ostashkov in the spring of 1940 refrained, for one reason or another from publishing this information but instead finally accepted the figure of 11,000 as the total number of Polish P. O. W's., both officers and men, who were supposed to have been "missing" since the spring of 1940 somewhere in the territory of the U. S. S. R., we can accept as correct the relatively precise figures calculated in the basis of the evidence given by those prisoners who were afterwards "found".

In early April, 1940, there were in—

Kozielsk Camp 4,500 P. O. W's, of that number 4,225 were "missing".

Starobielsk Camp—3,920 P. O. W's of that number 3,841 were "missing".

Ostashkov Camp—6,500 P. O. W's of which about 400 were officers, of that number 6,376 were "missing".

The total number was therefore 14,920 P. O. W's (about 8,700 officers) of which 14,472 were "missing".

<sup>1</sup> There is no mention in the Protocol or in the Conclusions of the Medico-legal expert of the basis or of the manner in which this calculation was made by them, neither does the actual figure of 11,000 appear in these documents.

In addition to these total figures a relatively accurate list of names was drawn up from the evidence given by the "found" prisoners, and the depositions of relatives of the prisoners in the camps who were corresponding with them until April, 1940. This list contains up to the present time more than 8,000 names of people, mostly officers, who in early April, 1940, had been in these camps and subsequently "missing". As this material comes from a source independent of the influence of either of the Powers accused of the murders, we need not dread it with the reservation that we spoke of in page 35, above. Further, this material—the evidence of the witnesses and the list of the missing prisoners from each of the camps compiled from it—may be used to test the authenticity of the other material originating from more suspect sources.

*36. Diaries of the missing prisoners. Table of Convoys.*

This test was applied in the first instance to the diaries of the missing prisoners. The German documents mentioned that such diaries and notes were found on the bodies and in fact, copies of some of them reached London through the Polish Underground Movement.

These documents as well as all the others produced by the Germans in connection with the Katyn Affair, were at first regarded with considerable scepticism as it was realised that they might very well have been faked for use as political propaganda. But close analysis of their contents and a comparison of the facts given in them with the evidence of living witnesses from Kozielsk camp dispelled all suspicions as to their genuineness. The entries in the diaries, made mostly day by day, contained too many descriptions of the small details of everyday life in the camp for them to have been faked, more especially as events were mentioned about which no-one who had not been in the camp at the time they took place could have had any knowledge. As one of many such samples can be given the entry of 28.11.39, in the diary of a Major Solski (see page 64-65) which said "In the morning we decided to buy stamps and send a letter for Capt. Dr. Kosinsky Jerzy Dyonizowicz who had sent to Pniewy a letter to Fraulein Dorota Pyzalok Pniewy, Deutschland, Posener Provinz, Posener Strasse 7." The reason for putting an entry of this kind in his diary is not readily apparent but from the evidence of Witness No. 39, we learnt that there was among the prisoners at Kozielsk a Dr. Kosinski who declared himself publicly to be an enthusiastic believer in Hitler and Germans in general and who was also very amenable to Russian authority. His behaviour so exasperated his fellow prisoners that he was made the object of various forms of hostile attention. The reason for Solski mentioning the letter in his diary only becomes plain when in the light of the evidence provided by people who had first hand knowledge of the circumstances that provoked it. When we are aware of these circumstances the use of the word "Fraulein" as well as of the German geographical names for Polish places and of the fathers name in the Russian fashion, become easy to understand.

These written documents, giving in many instances data more precise than those that living witnesses were able to supply from memory threw more light on the history of events at Kozielsk camp and in particular made it possible to draw up a comparatively accurate table of the convoys which left Kozielsk when it was liquidated with dates of departure, numbers of people in each convoy and some names of individuals that left in them.

As the Soviet authorities who had in their possession precise details of all these matters did not, in fact, publish them and as the Report of the Special Commission gave no particulars about when, how and under what circumstances the Polish prisoners of war who were removed from the three camps found themselves in the Smolensk area, we are bound to accept as approximately correct the table of convoys which departed from Kozielsk given above. (see page 49).

Some of the evidence given by witnesses interrogated by the Germans and published in the Amtliches Material indicated that the convoys from Kozielsk began to arrive at Guezdovo station in March 1940 namely that of Krivosertsev (page 301), Andrejev (page 302) and Zakharov (page 304). As this data is in contradiction to the verbal evidence given by the Polish witnesses and of the written diaries, we must discard it as being untrue. However it is necessary to note that in the evidence given by Silverstrov (page 303) the correct dates were given namely, April and May 1940 and that most of the witnesses as quoted in Amtliches Material, gave evidence that was in general accordance with the table of convoys in that the period during which the prisoners were said to have arrived at Guezdovo lasted for four to five weeks. (Kisselev, p. 302, Silvestrov, p. 304. Zakharov, p. 305). We must however regard the statements of two of them, i. e. Krivosertsev—a member of the German Civil Guard (p. 301) and Andrejev (p. 302) about the alleged arrival at Gnezdovo of three or four convoys of Polish



prisoners of war every day, as being untrue and made in order to give grounds for the German assertions about the enormous number of Katyn victims. The absence of similar data with regard to the camps of Starobielsk and Ostashkov makes it unfortunately impossible to obtain such accurate information about the departure of convoys from those two camps.

*37. What was the destination of the convoys from the three big camps—Number of P. O. W.'s taken to Gnezdovo.*

The German evidence nowhere referred to the arrival at Gnezdovo of prisoners from Starobielsk or Ostashkov but mentioned Kozielsk many times. (The first communiqué of 13.4.43., evidence of Zakharov pages 304, 289, 295 etc.).

The fact that the prisoners who were unloaded at Gnezdovo came from Kozielsk was also confirmed by the contents of the written documents (see pages 64-67) and the evidence of witnesses (see pages 69, 70, 71, 73) and it is therefore possible to accept as an established fact that all the 19 convoys that left Kozielsk with the exception of the two that left on 26.4.40 and 12.5.40 which were directed to Pavlishtchov Bor, were sent to Gnezdovo and were unloaded there. There was absolutely no mention of the convoys from Starobielsk or Ostashkov being directed to Gnezdovo, either in statements of witnesses or in any written document. The former prisoners from Starobielsk afterwards found at Gruzovietz mentioned, while giving evidence, that Kharkov had possibly been the place where the convoys from that camp were unloaded (page 96). Former prisoners from Ostashkov gave evidence to the effect that they had lost touch with the rest of their convoy at Viasma or Bologoye (page 109).

The Soviet documents also contained no definite statements about the direction taken by any or all of the transports from the three big camps or if some of them having gone through Smolensk to Gnezdovo station. It is true that the Report of the Special Commission quoted the evidence of witnesses Ivanov and Savvateyev to the effect that in the spring of 1940 "several" train loads of Polish prisoners arrived at Gnezdovo station (see pages 382-383) and that the text of the Report referred to Gnezdovo as "the station at which Polish prisoners arrived in spring 1940" but it gave neither the exact date of the arrival of these convoys nor mentioned the place they had come from nor the numbers involved.

From the fact that the Soviet authorities finally accepted the total of 11,000 of Polish prisoners of war both officers and men as allegedly lying in the Katyn graves and from the fact that the Report maintained that there existed a similar number, namely, three, special camps in the Smolensk area it would perhaps be possible to arrive at the conclusion in a very roundabout way, that all the convoys from the three big camps, with the exception of those that went direct to Pavlishtchev Bor, were sent through Smolensk and were actually unloaded at Gnezdovo. There does not however seem to be sufficient evidence in support of this conclusion in the material made available by either side.

We are therefore brought to the conclusion on the basis of the evidence so far made available that:—

1. All the convoys (except two) that left Kozielsk camp in April and May were sent to Gnezdovo and there unloaded.
2. The convoys that left the camps at Starobielsk and Ostashkov at the same time were not sent to Gnezdovo and that no information about their destination and the place where they were unloaded was published by either side.

These conclusions settle the question of the numbers of Polish prisoners of war taken in the spring of 1940 to Gnezdovo station and unloaded there. If we accept the total number of prisoners in Kozielsk camp as having been 4,500 and exclude the 245 people sent to Pavlishtchev Bor we can be fairly certain that at various dates during April and May 1940 there were unloaded at Gnezdovo altogether about 4255 Polish prisoners of war.

*38. Methods by which the Prisoners of War were transported after detained at Gnezdovo and their destination.*

The witnesses Krivosertsev (pp. 301, 306) Andreyev (p. 301) and Silvestrov (pp. 303-304) whose depositions are quoted in the German Amt. Material described how the Polish prisoners of war were unloaded from prison trucks at Gnezdovo and put into lorries of the kind commonly known in the U. S. S. R. as "Tchorny voron" and were then driven off in the direction of the place called Kose Gory. This evidence was partially confirmed by one of the former prisoners from Kozielsk, subsequently found in the U. S. S. R., who himself confined in a prison truck at Gnezdovo station, saw his fellow prisoners being unloaded into a "bus with its windows smeared with cement". This bus held about thirty

people and drove off, to return after about half an hour for the next batch (see page 71). We can therefore assume that the place to which the prisoners were driven was not very far from Gnezdovo station. The place called Kose Gory, mentioned in Amtliches Material,  $1\frac{1}{2}$ -2 miles (from Gnezdovo station, (see page 308).

The Soviet Report says nothing about the method of transport or the destination of the prisoners after leaving Gnezdovo but three special camps are mentioned in which prisoners of war working on the roads were put which were said to have been lying 15-25 miles west of Smolensk.

Gnezdovo station is about 8 miles and Kose Gory about 9-10 miles West of Smolensk so that if we take the facts stated in the Soviet Report as being correct, the camp nearest to Smolensk would have been about  $7\frac{1}{2}$  miles from Gnezdovo and it could not therefore have been at the place called Kose Gory. To transport a party of prisoners to a place  $7\frac{1}{2}$  miles from Gnezdovo and return for the next batch in thirty minutes would not be impossible but it would entail very rapid driving. It would however have been quite easy to get to Kose Gory and back in that time.

The German and the Russian material therefore differs as to the destination of the prisoners who left Gnezdovo and the statement of the Polish witness gives no definite clue to it. The written evidence of Major Solski's diary described how the prisoners had been taken under very unpleasant conditions in a "prison coach in cells," somewhere into a wood, something like a country house. This very short description of the place to which the prisoners were driven corresponds topographically to the place called Kose Gory but the absence of a more detailed description of the place and also of any information as to the distances driven and the speed of the bus makes it impossible to determine the destination of the prisoners exactly. From the entries in Major Solski's diary we only know that the prisoners were awakened in the prison trucks some minutes before 5 a. m. and that at 6:30 a. m., they were already in a wood and relieved of their watches. We do not know if he was in the first batch of prisoners to leave the station.

There is one further fact that should be taken into consideration, namely, that two railway lines run West of Smolensk, one to Vitebsk and the other to Orska (Gussino) along which there are many small stations and the question, therefore arises of why the prisoners destined for special camps 15-25 miles West of Smolensk were unloaded at Gnezdovo instead of somewhere further down the line e. g. Katyn, Kuprino, etc. The Report of the Soviet Commission gives no answer to this question.

### *39. What happened to the prisoners when they left the lorries.*

From the rather vague and not very convincing evidence of the witnesses reported in the German Amtliches Material, Andreyev, Krivosertsev, Kisselev and Silvestrov (see pages 302-304) it would seem that the prisoners were shot after leaving the lorries in Kose Gory wood.

From the Report of the Special Commission one would infer that the prisoners had been taken by bus to the "special" camps, at places not actually mentioned, in order that they might be used for work on the roads.

Major Solski's diary tells us that after arrival at the wood they were subjected to a special search at which their watches, rings, roubles, belts and pocket knives were removed. It was at that point that the diary broke off.

The German material made a point of the fact that watches and rings were not, as a rule, found on the bodies but that money, was found. (See pages 235, 239, 289, etc.).

In general, the material published by the Germans does not give much support to the thesis put forward by them and it is therefore necessary to analyse the statements made by both sides about the fate of the prisoners after they left Gnezdovo.

### *40. The Soviet thesis: the three special camps and their fate.*

According to the Soviets the Polish prisoners of war were from April-May 1940, in special camps, somewhere West of Smolensk and engaged on building roads. When in July 1941, these camps were over-run by the Germans the Polish prisoners fell into their hands and in August and September 1941 were murdered by them.

The Report of the Soviet Special Commission while asserting that an undefined number of Polish prisoners of war worked for about fifteen months building and repairing roads somewhere in the western districts of the Smolensk region left unanswered many questions that naturally arise. (See pages 350-352). The

Report did not definitely establish the fact that the Polish prisoners working on the roads were themselves the Polish officers, formerly in the camp at Kozielsk, let alone in those at Starobielsk and Ostashkov. At most it allowed of that conclusion being drawn indirectly. In this connection it is especially important to note that it was established by the evidence of a Polish witness (and confirmed by an article in the Soviet "Wolna Polska" see page 364.) that there were in fact, in the Smolensk area three camps for Polish prisoners of war working on the roads, but that they were camps for prisoners of other ranks and not for the officers removed from the three big camps. (See page 363 and following pages).

The fragmentary, inconsistent and improbable story of the over-running of these camps by the Germans in July 1941 and of the capture by them of every single Polish prisoner was told in pages 352-365. This story, as presented in the Report, gives no concrete evidence to prove that all the people taken into the Smolensk area from the Kozielsk camp fell into German hands and even less concerning the prisoners from Starobielsk, and Ostashkov, who were taken from those camps in April and May 1940, and sent in an unknown direction.

Moreover, the evidence of the witnesses Alexeyeva, Mikhailova and Konakhovskaya about the "shady doings" in the country house at Kose Gory, found in the Report of the Special Commission (see pages 367-372), apart altogether from the doubts to which this evidence gives rise from a juridical point of view, made no mention of the shooting by the Germans of the Polish officer prisoners of war formerly in the Kozielsk camp nor of those from Starobielsk and Ostashkov. There was nothing concerning these officers in the evidence given to the Commission by Alexeyev and the other "six witnesses domiciled in the neighbourhood of Kose Gory" nor in that of Bazilevsky or Yefimov nor in the written evidence quoted in the Report i. e. the notebook of Menshagin. If therefore, setting aside all the many doubts to which this evidence gives rise, we presume that all the evidence was given entirely in accordance with fact, the only conclusion to be drawn in that in August and September 1941 the Germans shot, at Kose Gory, some Polish P. O. W.s, the total number of whom was far less than the total number of prisoners taken to Gnezdovo station from Kozielsk, to say nothing of those from Starobielsk and Ostashkov about whose transfer to the Smolensk area there was no mention by any of the witnesses. Nor, in fact, was Kozielsk specifically mentioned, nor was it stated anywhere that the prisoners shot by the Germans were officers.

It is therefore necessary to conclude that the only evidence, which could prove the Soviet thesis that in August and September 1942 the Germans shot, at Kose Gory, the Polish officer prisoners of war removed from the three big camps in April and May 1940 and from that time thought of as "missing" in the U. S. S. R.—would be the corpses lying in the Katyn graves and identified by the Germans as being those of the "missing" Polish officers.

The material published by the Soviets gives no additional evidence that the Germans committed the crime in question.

A point has been reached at which it appears that no direct evidence as to who, in fact, was responsible for the crime was made available either by the Germans or by the Russians and it therefore becomes necessary to look closely at the circumstantial evidence available to see if it will reveal what authority was responsible for the murder.

#### *41. Who is lying in the Katyn graves?]*

Just after the publication of the first communiqué about the finding near Katyn of a grave containing the bodies of "more than 10,000 Polish officers," the Soviet Information Bureau issued a communiqué stating that the German revelations, "left no doubt as to the tragic fate of the former Polish prisoners of war" and in the same breath referred to the "clumsily concocted fabrication about the numerous graves . . . allegedly discovered near Smolensk" and recalled the existence in the Smolensk area of the "historic Gnezdovaya burial place." (See page 247.)

The communiqué broadcast by Moscow Radio on 18.4.43, spoke about the shooting of the Polish prisoners of war by instalments, the placing with the bodies of "touched-up" documents which came from the "Gestapo archives" and the use "for this purpose of the archeological excavations of the Gnezdovaya burial mound" (see page 259. Text published in Keesings Contemporary Archives, Vol. 4, 1940-1943. Page 5731).

On 19.4.43. "Pravda" wrote that "as had now become perfectly clear" the Germans "bestially killed the former Polish prisoners of war and many Soviet people" and afterwards themselves put in their pockets "visiting cards and identification papers" (see page 260-261).

The Report of the Soviet Special Commission quoted the evidence of the witness Moskovskaya about her conversation with one Yegorov on the subject of the alleged search by Russian prisoners in March 1943, of the bodies in the Katyn graves and the removal from their clothes of some documents and their replacement by others (see page 387-388).

The Germans published in Amtliches Material a list of the 4143 corpses exhumed by them of which they had been able to identify and name 67.9%. This list included a description of the objects found with each body among which were many personal papers, and possessions, such as engraved cigarette cases, diaries etc. Most of these objects found, or said to have been found on the bodies, were publicly exhibited by the Germans and seen by the many "tourist," who visited Katyn. Photographs were also taken of some of them and distributed all over Europe.

Despite the fact that from April 1943, the Soviets raised frequent objections until the publication of the Report of the Special Commission, on the grounds that the Germans had put faked documents into the graves, they themselves made no attempt to prove that any particular document published as having been found on the Katyn bodies, was not, in fact, genuine. Nor did they refer in the Report of Special Commission to the archeological significance of the Gnezdovo region.

The list of names of identified Katyn bodies published in Amtliches Material was submitted to the test referred to on page 425, that is, it was compared with the lists in the possession of the Polish authorities of the names of the missing officers and the particulars about them. The result of this comparison was that of the 2914 bodies listed in Amtliches Material as having been identified by name, 100% identity of names and personal data the German and the Polish lists was found in 855 cases and a 66% identity in 590 cases.

In considering these comparisons of the two lists, the German and the Polish, the following points must be borne in mind:

1. The lists drawn up by the Polish authorities were based on the evidence of prisoners afterwards "found", who were not always sure of the particulars relating to their fellow prisoners and in some cases were not even certain of the correct spelling of their names.

2. The German lists were based on data taken from documents that were not always easily deciphered, some of which dated from the time when the individuals concerned were in Soviet captivity and were consequently written in Russian characters.

3. Polish spelling makes it in some cases impossible to spell Polish names correctly if the latin alphabet is used, without the special Polish letters. Thus the name "Załęski", when written in the latin characters only becomes the quite different name of Zaleski. This difficulty was increased when, as sometimes happened, the Polish names were written in Russian characters.

4. The spelling of the Polish names on the German list, had in many cases, undergone translation from Polish to Russian, Russian to German, and back to Polish phonetically. This resulted in many of the names becoming completely altered, as for instance:—

Rzółkowski—Pyakoxkum—Schulkowsky—Szulkowski or Zulkowski. The complete correlation of 50% of the personal data of about 50% of the identified Katyn victims with those of the missing Polish officers, thus removes all suspicion that the Germans may have used archaeological diggings at Gnezdovo with "provocational" intent. There can therefore be no further doubt but that the bodies were those of the missing officers, particularly in view of the fact that in the other 50% of the cases many personal data were partly identical or quite similar in both lists.

It would have been, in point of fact, quite impossible for the German Gestapo to have in their possession the personal papers of Polish officers who from September 1939 were in Soviet captivity so that the theory put forward by the Soviets that the "visiting cards and identification papers" were taken from the "Gestapo archives" and put into the pockets of the Katyn victims was baseless.

More than 90% of the cases in which the names and particulars of the missing officers were the same on both, the Polish and the German lists, were those of individuals who were found to have been prisoners of war in the Kozielsk camp. Only a few of them were marked on the Polish list as having been at Starobielsk and a very few at Ostashkov. This can be explained by the fact that the camps were in existence for more than half a year during which time individuals and small groups were transferred from one to the other and the possibility of the Polish lists not having been completely accurate with regard to every individual in all these camps. Taking all these facts into consideration there can be no

doubt at all but that the bodies found by the Germans in the Katyn graves, were those of the missing Polish officer prisoners of war from the camp at Kozielsk, liquidated in April-May 1940.

This conclusion gains further support from the comparison of the total number of bodies found in the graves and that of the officers in the Kozielsk camp. The number of bodies given by Amtliches Material as having been exhumed in the first period up till June was 4143 which coincides almost exactly with the number of prisoners removed from Kozielsk in 17 convoys during April 1940. 4309 less 150 in convoy of 26.4.40, sent direct to Pavlishtchev Bor-4159.

Furthermore, the probably number of bodies in the eighth grave, calculated according to the measurements in Amtliches Material, coincides almost exactly with the number in the two convoys removed from Kozielsk on 10th and 11th May, 1940. (See pages 48, 331, 332).

Finally an interesting comparison can be made between the lists of bodies given in Amtliches Material, about 70% of which were identified on the basis of rank and the Polish lists made on the same basis. These figures are as follows:<sup>1</sup>

Polish	Rank	German
4.....	Generals.....	2
about 100.....	Colonels & Lt. Cols.....	62
about 300.....	Majors.....	165
about 1,000.....	Captains.....	440
about 2,500.....	Lieuts.....	1,472

All these facts lead us to the conclusion that there are lying in the Katyn graves, the bodies of all the officers who were taken to Gnezdovo station after their removal from Kozielsk in the spring of 1940 and were afterwards held to be missing.

#### 42. Who is not lying in the Katyn graves?

The Germans launched the Katyn campaign with the statement made for propaganda purposes that the graves contained more than 10,000 bodies. For some time they held to that figure, but as the exhumations progressed and lists of identified victims were published, they referred less and less to the number of bodies found. Finally, after 4,143 bodies had been removed from the seven graves, the exhumations were stopped on account, it was said, of the summer heat. In the documents of Amtliches Material the number 10,000 is not mentioned at all nor do they contain any evidence that the Katyn graves held the corpses of officers removed in Spring 1940 from the Starobielsk and Ostashkov camps.

The first report about the impressions of the first "Polish Delegation" to Katyn, sent to the Polish Government in London, through the Polish Underground Movement, stated that the number of bodies in the graves was much smaller than that announced by German propaganda and probably did not much exceed 4,000 (see page 229).

The detailed analysis made in Part III pp. 322-329 of these notes showed that the 7 graves discovered by the Germans could not, in actual fact, have held more than 4,850 bodies (see p. 324) and it follows from this that in all probability the exhumations were not interrupted but came to an end in the beginning of June 1943, all the corpses being transferred to the new communal graves. Therefore, the list published in Amtliches Material totaling 4,143 bodies gave the whole contents of the seven graves.

The original statements of German propaganda that the graves contained more than 10,000 bodies were to all appearances given some support by the cessation of the exhumations on account of the heat in early June and the discovery of the eighth grave. From this grave only a few of the bodies were exhumed and these were replaced without any explanation being given. The measurements of this eighth grave as given in Amtliches Material showed that it could not have contained more than 124 bodies (see p. 331) which number did not very much increase the total number of bodies exhumed from the graves but brought it almost exactly to the total of the missing prisoners from Kozielsk.

The Soviet attitude to the question of the numbers of bodies in the Katyn graves was exactly the opposite to that taken by the Germans. They started by denying that the bodies were those of Polish officers (cf. their remarks about the

<sup>1</sup> See pages 23 and 327. Of the Generals, one was in civilian clothes (see page 27), and another was taken to Pavlishtchev Bor. The Germans included doctors, vets, etc. in separate groups, whereas in the Polish lists they are shown mostly as captains.

archeogloical burial mounds at Gnezdovo) asserting at the same time that there had never been more than "some thousand" or "two thousand" officers in Soviet captivity (cf. Vyshinsky and Barayev).

From January 1944, however, they accept the original German statement that the graves contained more than 10,000 bodies saying that there might be 11,000 or even 15,000 bodies of Polish prisoners of war both officers and men. This number corresponded more or less with the total number of prisoners of war who, in April 1940, had been in the three big camps and were afterwards missing.

As it was clearly evident from the Report of the Soviet Special Commission and of that of the medico-legal experts that the exhumations made at the time of the Russian investigations were carried out on the new cemetery into which the Germans, with the participation of the representatives of the Polish Red Cross, had put the 4,143 bodies taken from the original graves (see pp. 346-347) the method by which the Soviet experts, after the exhumation of only 925 corpses from the cemetery, were able to establish the total number of murdered prisoners lying in the original graves as having been 11,000, is completely incomprehensible.

This analysis of both, the German and the Russian material shows that though the Katyn graves contained the bodies of all the missing people from Kozielsk, they did not contain those of the people from Starobielsk and Ostashkov who, more than 10,000 in number, were removed from those camps in the Spring of 1940 and were subsequently missing.

#### 43. *The order of the bodies in the graves.*

The study of the diaries found on the bodies at Katyn brings to light a very significant fact namely that the bodies of prisoners who left the Kozielsk camp in the same convoys were found lying close to one another in the Katyn graves.

When the camp was being liquidated the authors of the diaries waiting anxiously for their turn to be, as they thought, released and sent home, particularly noted the names of those of their friends who had been "happy enough" to leave the camp in earlier convoys. These entries, therefore, make it possible to include in the table of convoys the names of a few people who left the camp in each one.

As the Germans exhumed the bodies they numbered them successively and, what is very significant, the bodies of the prisoners who left Kozielsk in the same convoys have in many instances been given numbers near together. One such instance is given on pp. 64-65 above where it was described how Major Soliski's body was given the number 490 while that of one of his twelve companions in the same compartment in the prison truck, Lt. Col. Kutymba, was 481.<sup>1</sup>

Several examples of this occurrence follow:

(a) From the notebook of Wais and the dairy of Wajda it is known that both these men left Kozielsk on 11.4.40 with a convoy of about 300 prisoners. Wais mentioned in his notebook that in this convoy were included also his friends Ulrichs and Skupien. Capt. Trepiak noted in his diary that there were also in that convoy BOGUSLAWSKI, PIOTROWSKI, IWANUSZKA and PRZY-GODZINSKI.

The list in Amtliches Material reads as follows:

Number	Name
1246-----	Lt. Sebastian SKUPIEN
1453-----	Włodzimierz WAJDA
1456-----	2/Lt. Czesław Prus BOGUSLAWSKI
1458-----	Bronisław WAIS
1476-----	2/lt. Otto ULRICHs

(b) In the diaries of Capt. Joseph Trepiak and Dr. Dobiesław Jakubowicz we find entries to the effect that their authors left Kozielsk with the convoy of 21.4.40 in which were about 240 people. The bodies and effects of these two men were numbered on the German list as—

867-----	TREPIAK
836-----	JAKUBOWICZ

(c) Jakubowicz made the following entry in his diary on 16.4.40 "They were sent off. Capt. Trojanowski Silvester has gone" . . . On the same day Capt. Trepiak wrote "They were calling from early morning, up till now ZNAJ-DOWSKI and SOLTAN have gone. Altogether about 400 were sent off to-day."

<sup>1</sup> From two diaries, Soliski's and another's and from evidence of "found" prisoners from Kozielsk it is known that the fourth convoy which left Kozielsk on 7.4.40 included two Generals and many senior officers. On the German list of the identified bodies there is a relatively greater incidence of high ranking officers in the groups of numbers below and above the 480-490 group.

The German list reads:—

2772-----	Capt TROJANOWSKI Silvester
2795-----	ZNAJDOWSKI Wacław
3674-----	2/Lt. SOLTAN Władysław

(d) In the diary of Capt. Trepiak under the date of 19.4.40 was the entry "They took them from 8.0 a. m. until 1.0 p. m., it is said that 303 were sent. Among them WACŁAW LEITGEBER, RUMIANEK, DOMANIA, RZĄCZEWSKI

The German list reads:—

3553-----	LEITGEBER Bohdan Wacław
3664-----	RZĄCZEWSKI A. M.
3666-----	DOMANIA Jan
3746-----	RUMIANEK Stanisław

(e) An officer taken from Kozielsk on 29.4.40 (see p. 70) in a convoy of about 300 people related that there were among others in this group Dr. TUCHOLSKI and 2/Lt. KOROWAJCZYK from Vilna.

On the list in Amtliches material there are:—

3864-----	Dr. TUCHOLSKI Tadeusz
3892-----	2/Lt. KOROWAJCZYK Leonard

The fact that the bodies of men who left Kozielsk on the same day were found lying in close proximity to one another in the Katyn graves, makes it virtually impossible to accept the Soviet thesis that these officers were for sixteen months living in special camps. For, during the time when they were supposed to have been working on the roads, especially in view of the German advance, supposed capture of the camps and the resulting confusion the individual officers would almost inevitably have got separated from their original travelling companions and, that many of them should come together once again on the eve of their death, points to a coincidence so highly improbable as to render the Soviet thesis quite unacceptable.

#### 44. *The date of the murder. The length of time the bodies were in the graves.*

Both the Powers accused of the crime, during the period when they were in control of the territory on which the graves were situated, arranged for medico-legal experts to inspect the bodies and to give a decision as to the date of the murders based on the medico-legal data.

The Germans employed for this purpose, the Professor of Forensic Medicine and Criminology of Breslau University, Prof. Buhtz, who worked at Katyn from March to June 1943, and the so called "European Medical Commission" consisting of twelve representatives of different countries, mostly professors of Forensic Medicine, Anatomy, Pathology etc., who worked on the bodies from 28th—30th April 1943. The conclusions of these German and foreign experts set out in their reports and protocols, which are referred to on pages 282—291 and 332—227 above, were that "pure scientific deductions show that the bodies had been lying in the graves . . . at least three years". These conclusions were based on facts the significance of which can only be appreciated by other experts in the same field, namely the state of decomposition of the bodies and their various organs, in particular the cerebral matter subjected to Professor Orsós test, the degree of formation of adipocere etc.

Affirming that mass murder on such a scale created unprecedented conditions, the German experts looked for confirmation of their "pure scientific deductions" to additional evidence such as the degree and type of corrosion of the metal objects found in the graves, the age of the spruces planted on them, the evidence of witnesses, dates of the documents found on the bodies etc.

The Soviet experts, mostly Red Army doctors (see page 345) undertook their investigation, which lasted a week, without the assistance of anyone from outside the Soviet Union. On the basis of the same data as were used by the German experts, i. e., degree of decomposition, formation of adipocere etc., (see page 401), and of additional evidence provided by the comparison of the state of the bodies from the Katyn graves with those of the other victims of German bestiality, and the dates of documents hitherto undiscovered in the graves, these experts came to the conclusion that the Katyn victims were murdered by shooting "about two years ago i. e., between September and December 1941" (see page 402).

Such a very wide divergence in the opinions given by these learned experts as to the date of the murder and the lengths of time the bodies had been lying in the graves, gives the layman rather to wonder and arouses in him no little skepticism as to the value of medico-legal conclusions. Clearly only another specialist would



be in a position to evaluate the conclusions of both parties of experts and to attempt to find a scientific reason for the divergence in their view.

As the bodies were not examined under the auspices of any neutral and impartial institution we can only point out the fundamental divergence in the opinions of the experts called by both interested parties.

It will be remembered in this connection that a request was made to the International Red Cross by the Polish Government for a neutral Commission to be sent to Katyn to report on the evidence and that this request which gained the immediate approval of the Germans was not acceded to, on account of the Russians' categorical refusal from the first instant to contemplate the creation of such a Commission. The argument expressed in the Soviet note on this subject that "such an 'investigation' conducted behind the back of the Soviet Government, cannot evoke the confidence of people possessing any degree of honesty" was made rather prematurely.

It would have been perhaps more politic to have agreed in principle to the idea of such a Commission, but to have insisted on certain conditions. The Soviet Government could have asked for suitable guarantees as to the composition of the Commission and its freedom to work, as also for passes for its own observers etc. If these guarantees had been refused or in practice not adhered to, it could with reason, have withheld its consent to the creation of such a Commission or have interrupted the investigation while in progress.

It is moreover difficult to understand why the Soviet Government, when organising its own investigation in January 1944, did not invite any neutral or Allied representatives to be present, since "conditions of a terroristic regime, with its gallows and mass extermination of the peaceful population" no longer existed and the Commission was able to work under perfectly free conditions. Had the Soviet Government done so, no objections could have been raised to the findings of such an investigation.

*45. The season of the year at which the murders were committed.*

The Germans maintained that the murders took place in the Spring, April and May of 1940, the Russians, in the Autumn of 1941.

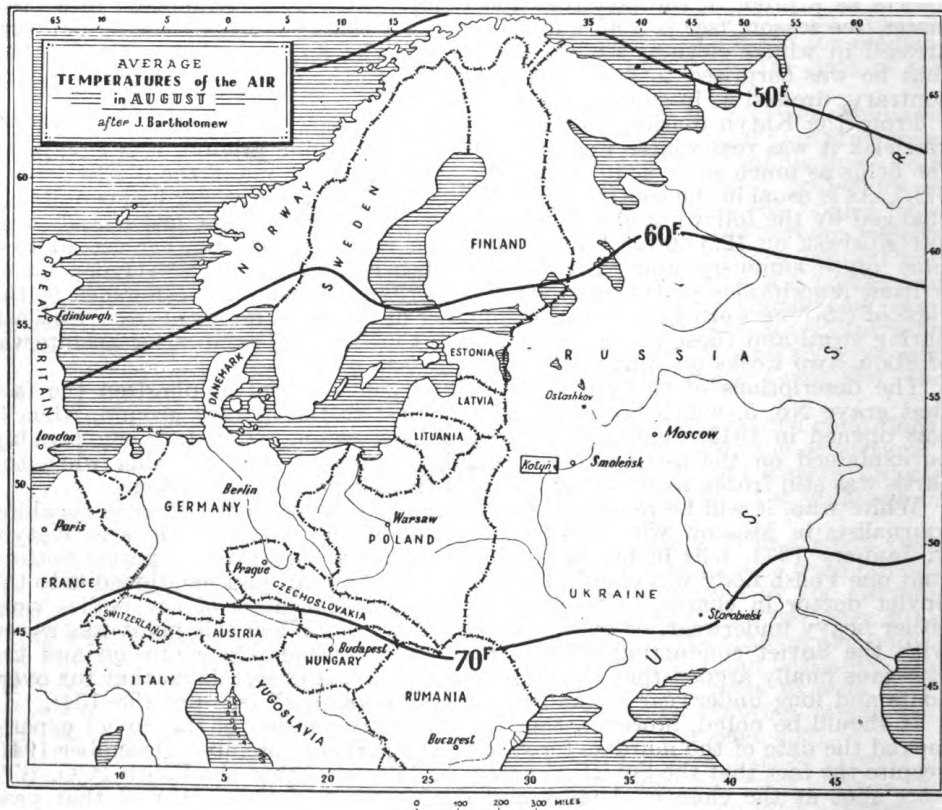
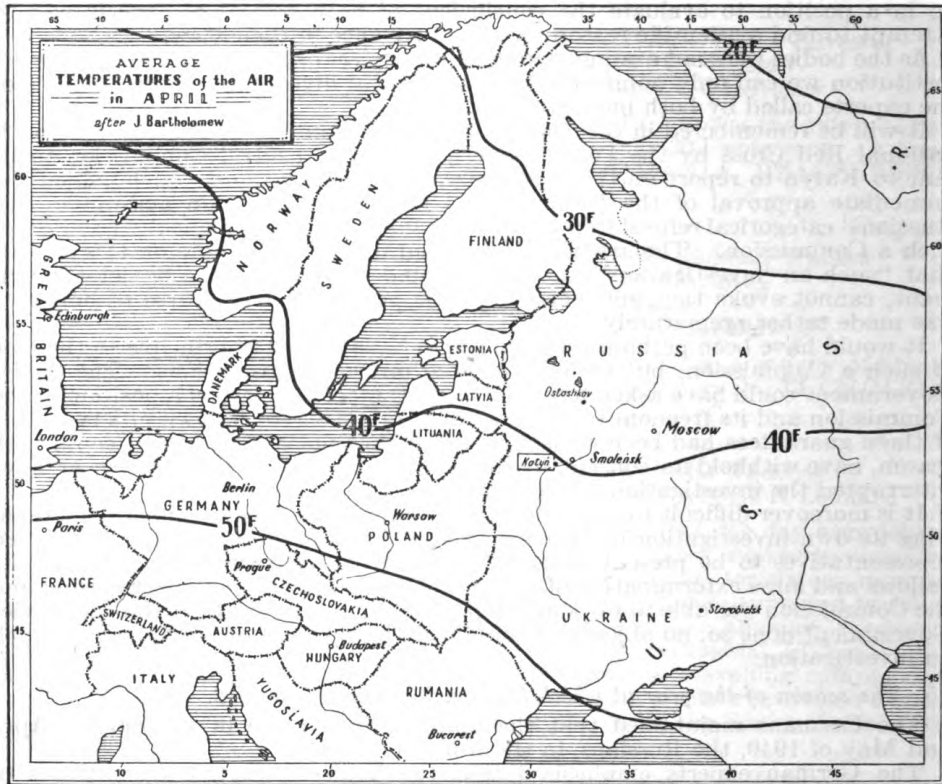
The German experts emphasised that the bodies were free from traces of insects as a proof of the fact that the murders had been committed in a cool, insect free season, (see p. 290) and they made a point of the fact the bodies were dressed in winter clothes (see pp. 283-322). The report of Prof. Buhtz shows that he was surprised to find that the bodies in the eighth grave were, on the contrary, dressed as in summer (see p. 330).

From the Katyn diaries, however, we know that when the first convoys left Kozielsk it was real winter weather. "Snow is whirling around, it is cloudy, in the fields as much snow as in January", was written in one of the diaries (see p. 67). As is usual in the continental climate of Russia, the weather had completely changed by the following month and, as the prisoners from the last convoy that left Kozielsk on 12.5.40 for Pavlishtchev Bor reported, the weather was at that time quite summery and "the sun was beating down". These independent written descriptions of the weather may perhaps, explain the difference in the type of clothing worn by the greater number of prisoners removed from Kozielsk during April and those in the two convoys that left the camp after an interval of about two weeks on May 10th and 11th (see p. 48).

The descriptions of the graves in Amthliches Material emphasized the fact that grave No. 5, which lay lowest and nearest to the marshy ground, when it was opened in 1943, quickly filled with subsoil water. This fact can possibly be explained on the assumption that this grave was originally dug when the earth was still frozen as it probably would have been in early spring.

White who, it will be remembered, had many talks with the English speaking journalists in Moscow who had been present at the re-exhumations in Katyn, in January 1944, tells in his book of how "... an observant reporter noticed that one Polish body was clad in long, heavy underwear, and mentioned it to the Soviet doctor in charge. The doctor remarked that most of the bodies were either heavy underwear, or overcoats, or both. ... When this point was raised with the Soviet conducting officers, there was considerable confusion and the Russians finally argued that the climate of Poland is uncertain so that fur overcoats and long underwear might be worn in September" (see pp. 133-134).

It should be noted, however, that the official conclusion of the Soviet experts moved the date of the murders forward to the period September-December 1941, despite the fact that the Soviet witnesses had declared that the Polish P. O. W.'s were shot at the close of August and during most of September of that year (p. 368).



The attached isotherm maps show that in the Smolensk area the average temperature of the air in April is 40° Fahrenheit which is the same temperature as is found in the Faroe islands at that season; while in August the average temperature there is about 65° Fahrenheit and this corresponds to the average temperature found at that time in resorts on the channel coast where, in August, the bathing season is at its height.

Passing to quite another aspect of the problem, it may be noted that in the Autumn of 1941 a Russian offensive which was launched on the Smolensk sector of the Eastern Front met with some success, and it is, therefore, doubtful whether the Germans would have occupied themselves at such a time shooting thousands of Poles in small batches.

*46. The method by which the murders were committed.*

From the time of the Russian Revolution it has been popularly supposed that a shot in the back of the head is the accepted method of execution in Soviet Russia. The Report of the Soviet medico-legal experts stated, however, that the method used in the Katyn murders was completely identical with that used by the Germans in the mass shooting of the Soviet population and Soviet prisoners of war in many places among others Smolensk, Kharkov, Krasnodar and Voronezh. Soviet reports about German bestialities published later, referred to the shot in the base of the skull as the "typical German method" cf. the conclusions of the Soviet medico-legal expert Commission's report on the so-called "Valley of Death" in Janow camp near Lwow, in "Pravda" of 23.12.44 and separate pamphlet. Nevertheless it is generally known that the typical German methods of mass murder were the "factory of death", the gas chamber, machine gun shooting, etc., and not the more "primitive" method of individual revolver shots.

All the documents agreed that the prisoners were driven in small batches of about thirty people to the place of execution so that it would have been quite possible to have killed them by this "primitive" method and, it seems that 4250 men could have been easily exterminated in this way in the period from the beginning of April to the middle of May. While it is improbable that 11,000, or more, could have been killed in this way in the short time embracing "the close of August and during most of September" (see p. 368). It is interesting to note that the Russian report makes no mention of bayonet wounds found on some of the bodies. It will be remembered that the Germans had reported that these wounds had been made by four edged bayonets, which are exclusively used by the Russian Army.

The German material allotted considerable space to the question of the spruces planted on the original Katyn graves. The age of the trees was supposed to have proved the date of the murder, the method of planting the trees on the fresh graves was held to be typical of the Soviets, as evidenced by those planted on old Russian graves in the Katyn area. (see p. 333). The Soviet documents didn't mention the spruces nor did they refer to the origin of the ammunition used by murderers. As Professor Buhtz report stated, this ammunition was of German origin (see pp. 334-5). This circumstance, speaking apparently in favour of the Russian allegations, and against the Germans, was not exploited at all by the Russians, whereas the Germans, openly admitting the fact, had explained it on the grounds that great quantities of this ammunition had been exported to Russia, Poland and the Baltic States.

Neither side went into the question of the origin of the cord, used to tie up some of the victims, very carefully. The "European Commission" only pointed out that the Polish officers were tied up in the same way as some of the bodies lying in the old Russian graves (see p. 287). Some lengths of this cord found their way as "souvenirs" to Poland where, it was examined by competent experts and found to have been of Russian origin.

*47. The object of the murder of the Polish officers.*

In the last paragraph (no. 8) of the Final Conclusions of the Soviet Special Commission it was stated that the shooting by Germans of the Polish prisoners of war in Katyn "consistently carried out their policy of the physical extermination of the Slav peoples" (see p. 408).

The German policy of the extermination of the Poles in occupied Poland was certainly quite well known to all the world and, in view of this, the conclusions of the Soviet Commission may seem to be, at least apparently, right. It should, however, be remembered that, in general, the Germans did not hide the fact of their policy of the "iron fist" in Poland and, on the contrary, tended to emphasize it, in order to terrorise the civil population. They frequently conducted public mass executions and made information about executions generally known. It is

therefore, difficult to see why, as was stated in the Report of the Soviet Commission, the Germans should have kept the fact of the murder of the Polish officers in 1941 secret and displayed so much anxiety lest the event should become generally known. (Evidence of witness Alexeyev p. 343, Bazilevsky p. 376 and 378).

It is also incomprehensible why, the Germans, if they were consistently carrying out their policy of exterminating the Poles, should have murdered only those Polish prisoners of war who fell into their hands in 1941 and left alive throughout the war many more Polish P. O. W's, among them many officers, who fell into captivity in 1939 and to whom they, in general, applied the principles of International Law. In fact, when, as happened, they shot prisoners of war for crimes supposed to have been committed by them, they made no special secret of it.

The Soviet Report, in paragraph 4 of its final conclusions, maintained that the Germans murdered the Polish prisoners of war in the Autumn of 1941 with the object of being able to use the evidence "with provocational aims"—"in connection with the deterioration of the general military and political situation for Germany at the beginning of 1943" when they calculated "on setting Russians and Poles at loggerheads" and thereby making trouble in the Allied camp. This assertion can in no way stand up to serious criticism, since it implies a most improbable ability to foresee the future on the part of the Germans.

It would, perhaps, also be possible to look for some special aim and purpose in the murder of Polish officers by the Russians.

Lenin, in his world famous work "State and Revolution" completely accepted the thesis of Marx and Engels and among them the following:—

(a) That the victorious proletariat should completely destroy the whole apparatus of the bourgeois state, leaving not one "stone upon another". (Marx. 18th Brumaire. Louis Napoleon).

(b) That one of the most characteristic features of the state is the existence of a group of armed men, set aside from the rest of the society, namely regular troops commanded by officers, police, gendarmerie etc. (Engels. "Origin of the Family, Private Property and the State").

If we take into account this doctrinaire basis of Soviet policy, it becomes clear that, it would, from the Communistic point of view, be quite reasonable to exterminate systematically the leaders of the armed forces of the State which it was intended should be destroyed.

*48. Question of the documents bearing dates later than April 1940, and the putting in the Katyn graves of bodies from elsewhere.*

In the opinion of the Soviet experts, the most decisive and absolute convincing argument that the Katyn murders were not committed by the Russians, in the Spring of 1940, was the finding in the graves of documents bearing dates subsequent to that time. (see p. 402).

As was stated on pp. 402-406, the nine documents described in the Soviet Report were, as evidence, not convincing. All of them had either been issued by the Soviet or had passed through their hands and they concerned either completely unknown people or individuals who were not known to have been in the Kozielsk camp (see p. 406).

The Soviets gave the following explanation of the fact that the documents at a later date than April 1940, had not been found when the graves were officially opened up by the Germans:

(1) That the Germans had, a month before the official discovery of the Katyn graves made an unofficial exhumation of the bodies, more than 11,000 in all.

(2) That during that exhumation they had removed from them all the documents bearing dates later than April 1940.

(3) That 500 Russian prisoners of war had been used for this purpose who, having accomplished this arduous task in one month, were, in their turn killed.

This explanation was itself based, in the first place on the evidence of the witness Moskovskaya. This witness, however, it will be remembered (p. 387) was supposed to have been told by one Yegorov, in March, of events which had supposedly occurred in the following April. The evidence of the Soviet witnesses on the subject of the putting in the graves of the bodies, said to have been dug up elsewhere and brought to Katyn in lorries, in March 1943, was equally questionable. The corpses put into the graves in this way, only a month before the official exhumations were begun, must inevitably have been noticed by neutral professors and journalists or some one of the many people visiting the graves during the exhumation period. Even the Soviet witnesses, however, who told the Special Commission that they had taken part in these excursions and some of whom would have been especially qualified to observe facts of this kind, as, for

instance, the pathologist Zhukov, did not tell the Commission about these extraneous bodies or, if they did, the Commission did not bother to mention the fact in their Report.

*40. The Soviet declarations on the subject of the missing Polish officer prisoners of war.*

In analysing the circumstantial evidence in the Katyn Affair, it is necessary to take into account the declarations of the official Soviet Representatives on the general subject of the Polish prisoners of war.

Before the signing of the Polish Soviet Pact in July 1941, no official enquiry about these prisoners could be addressed to the Soviet authorities but individual requests for information were made by relative and fellow prisoners. When correspondence which had up till April 1940 been arriving safely, began to be returned to the senders, marked "Retour . . . Parti", some of the prisoners' relatives addressed enquiries to the Soviet authorities. They received the reply that the individuals they were enquiring about had been transferred, on the liquidation of the big camps, to places unknown to the Soviet authorities (see pp. 295-6).

A small party of prisoners who were in camps at Pavlishtchev Bor and Griassovetz, when asking the whereabouts of their former fellow prisoners, were put off with evasive answers and when special delegate of the N. K. V. D. came to Griassovetz from Moscow, he assured the officers that Griassovetz was the only camp in Soviet Russia containing officers, as all the other Polish officers had been released or had returned home (see p. 121).

In the Autumn of 1940 some Polish officers, thought to be in sympathy with Soviet ideas, were told by very high N. K. V. D. officials that a "great mistake" had been made about the Polish officers and that it would not be possible to take them into account, when planning the organisation of a Red Polish Division. (See p. 128).

When the Germans launched their attack on Russia, on July 4th 1941, the Soviet Ambassador in London, Maisky, informed representatives of the British Government that there were not more than 20,000 Polish prisoners of war in the U. S. S. R., at the most (see p. 139). Practically the same figure was given by a Soviet General when asked about Polish prisoners of war, in the middle of August 1941 (see p. 143).

In fact, about 28,000 Polish prisoners of war were afterwards found in camps named by this Soviet General. It is incomprehensible, however, why Maisky in London gave a smaller figure on July 4th, when the three special camps in the Smolensk area containing about 11-15,000 Polish prisoners of war (among them about 8,000 officers) had not yet been over-run by the Germans and all those people should have been at the disposition of the Allied forces. If these camps were, in fact, in existence could the Soviet authorities really not have known of them?

During the nine months official Polish Soviet negotiations on the subject of the missing officers, which were conducted with the highest Soviet officials, various declarations about their fate were made on the Soviet side. It was said that the Polish officers had been released in 1940 and sent back to Poland (it was known that that was not so from the fact that the Polish Underground Movement had been unable to trace a single one), that they had been released after the "amnesty" and would turn up in due course, that they had, perhaps, escaped to Manchuria etc., etc. At no point, however, were the "special camps" in the Smolensk area mentioned. Even when Stalin in his talk with General Anders on 18.3.42., i. e., after the negotiations had been going on for seven months, expressed, very vaguely, the possibility that the missing Polish officers "were in camps in territories which had been taken by the "Germans and were dispersed" (see p. 212), he said nothing about Smolensk. Only after the German revelations about Katyn did it become "perfectly clear" that the 11,000 or more Polish prisoners of war from these camps had been engaged in construction work West of Smolensk and had been seized by the Germans (see p. 261).

Could it be that these special camps were so secret that they were known neither to the local Soviet authorities, nor to Maisky in London nor to the Soviet military authorities, nor, indeed to the highest Soviet officials in Moscow?

Why, moreover, did not Vyshinsky, having assured the Polish ambassador on 2.11.41, that the Soviet authorities had "records of everyone alive or dead, I have promised the details and I will produce them", keep his promise?

Until the real answers to these and many other questions that naturally arise in connection with the Soviet explanations on the subject of the "missing" officers are given, the Katyn mystery itself will not be completely solved. These answers are only to be found in the Archives of the N. K. V. D.

## EXHIBIT 33

(NOTE—The following exhibit contains supplemental material uncovered by the Polish Government in exile in London after it had prepared the foregoing report.)

## SUPPLEMENTARY REPORT ON FACTS AND DOCUMENTS CONCERNING THE KATYN MASSACRE

## INTRODUCTION

In the confidential report—Facts and Documents concerning Polish POW's captured by the USSR during the 1939 campaign—dated "February 1946" we presented, on the basis of the facts at that time available, the history of the missing Polish POW's, who disappeared while in Soviet captivity and some of whom were later found in the Katyn graves.

Although, at that time, we had before us not only the outlines of the picture, but also many of the details, there were, nonetheless, several gaps in our information the existence of which we were well aware. Now, however, we are in a position to present a supplementary report based on new material. It mainly concerns four points.

1. How the discovery of Katyn was made.
2. How the exhumations and medico-legal examinations were conducted.
3. The number of bodies the Katyn graves actually held.
4. Information on the executions given by a local inhabitant.

Since the report "Facts and Documents" was written the trial of the Major War Criminals has taken place and been concluded in Nuremberg with a verdict of guilt in all but three cases. Among the accusations was that of the responsibility for the Katyn murder which was included in the Indictment signed on 6th of October 1945 in Berlin by the prosecutors of Gr. Britain, U. S. A., France and the Soviet Union. During the trial this particular item in the indictment was supported and argued by the Soviet Prosecutor.

The Nuremberg Tribunal did not, however, enumerate the Katyn murder among the motives given for the final verdict, which goes to prove that in spite of every effort made by the Soviet Prosecutor the Tribunal did not accept the Soviet charge as proved.

The official reports of the Nuremberg trial concerning this part of the indictment have not yet been published, but nevertheless we will cite here depositions made in the course of the Nuremberg Trial and published in press reports, since they are intimately connected with those points mentioned above as being the subject of the present Supplement.

## I. THE DISCOVERY OF THE KATYN GRAVES

*1. The first information about the graves.*

The account which was given in the first German communique of 13th April 1942 and afterwards confirmed in Amtliches Material/see Facts and Doc. p. 301/according to which the Katyn graves were already, in 1942, discovered by Polish labourers in the Todt organisation seems to accord with the facts. In the region of Smolensk as in other localities near the front line many civilian labourers from the so called Todt organisation were set to work collecting scrap metal, repairing roads etc. Among them were to be found also Poles. The workers of the Todt organisation were not isolated from the local inhabitants and among them were many who could speak Russian more or less fluently.

A man who was living at that time in the region of Katyn and who is now in the West states: "In the Spring of 1942 Polish workers who were working in the Todt organisation collecting scrap metal, got news from the local population that in the Kose Gory forest were to be found graves of executed Polish officers. I myself heard such a conversation. I know from Kisielew that these workers went to him and asked him to show them the graves and Kisielew took them to the graves on which they placed a small wooden cross. I have seen this cross myself."

But the relations between the German authorities and the semi-free Polish workers were not, of course, friendly and it is therefore not surprising that the Poles did not inform the authorities about their discovery. The same Russian witness stated further:

"In January 1943 there appeared in the newspaper "Nowyj Put" published in Russian by the Germans in Somlensk, an article describing the crimes committed by the Bolsheviks in the regions they occupied in 1939. The article told of the arrest and deportation of hundreds of thousands of people to Siberia, a great many of whom died there, and mentioned at the end that General Sikorski could not find several thousand Polish officers in Russia when he began to organise the Polish Army in the Soviet Union."

This witness himself associated these two facts with one another namely, the enquiries made by General Sikorski for the missing officers and the discovery of the graves in the Katyn forest by the Polish workers, when he read the article and he told his friend, a certain Eugene Siemianenko who became interpreter in the local Command of the Geheime Feldpolizei when the district of Smolensk was occupied the Germans, about his suppositions. The attention of the Germans was thus drawn to the Katyn graves and the interest of the O. C. Local Geheime Feldpolizei, 2/Lt Voss, was aroused.

The same witness stated that some time after his talk with Siemianenko one of his relatives "who looked after the horses in the Geheime Feldpolizei" told him that he had to go the next day somewhere with the N. C. O's from the Geheime Feldpolizei. Next day when I reported to the Geheime Feldpolizei, myself and two local inhabitants went in a cart in the direction of Kose Gory. Two sergeants from the Geheime Feldpolizei came after us on motorcycles. . . . When we arrived at the N. K. V. D. house the two N. C. O's asked me where the graves of the Polish officers were. I replied that I did not know but that I would go to Kisielew who was living nearby and who would certainly know something. Kisielew was at home lying on the stove and when I told him what I had come about he said that already the year before Polish workers had asked for the same thing, as I have already said. To this I replied that we intended to open the graves. Kisielew dressed himself, went out with me and guided us to the graves."

"We first broke up the frozen earth with a pick and then we took it in turns to dig with shovels. When we had dug a fairly deep pit we smelt the odour of corpses. As my two companions could not bear this smell and thought they would be sick and as the smell did not affect me so much, I dug to the very end. We were digging through sand the whole time and at the bottom there was a dark layer of blackened earth under which a corpse was lying. I saw a military great-coat and the belt as the corpse was lying face downwards. I then tore off the button from the belt, rubbed it clean and saw that it was a button with an eagle on it. I handed over the button to the Germans who had a good look at it. I then wrapped it in paper, we interrupted the work and we drove back."

"When we arrived at Gnezdovo Lt. Voss, Secretary of the Geheime Feldpolizei, came there. I showed Voss the button and I told him that we had dug out a pit, I mentioned that a strong smell of corpses was rising from the pit and because of this Voss took a bottle of alcohol in case somebody felt sick. Then the same people as before and Voss went back to Kose Gory with a car and a motorcycle. When we arrived at the spot Voss gave orders to widen the pit, sever the head from the body and remove it from the pit. Voss examined the head, ordered us to put it back in the pit and to *throw some earth over it*/editor's underlining/. Then Voss walked around in the woods, went across to the other side of the valley beyond the marsh, and after that we returned to Gnezdovo. That same day an Austrian N. C. O. Ponka, by means of an interpreter Arholz, or Eichholz, took a statement from me asking what I knew about the execution of the Polish officers. Together with me they interrogated also Andrejew Ivan from Nove Batoki, nicknamed Rumba."

I should be stressed, that the first depositions taken from witnesses in the Katyn case/Kryvosertsev, Kisselev, Andreyev/and published in Amtliches Material were dated 27th and 28th February 1943/see Facts and Documents p. 301-302/. The first report of the Geheime Feldpolizei mentioned in Amtliches Material was also dated 28th February. Thus the new material of the Katyn case confirms in principle the German story about the discovery the Polish officers graves by the German authorities in the Winter of 1943, probably at the end of February.

Lt. Col. Ahrens O. C. 535 Signals Regiment who was stationed in Dnieper Castle at that time and who was heard by the Nuremberg Tribunal as a witness for the defence on July 1st 1946 confirmed completely the fact that the discovery of the Katyn graves in the Winter of 1943 was accidental. He also stated that already in 1942 there had been rumours among the Germans that, at one time, mass executions had taken place in the Katyn forest and that he had himself



seen a cross on a hill there/namely that erected by the Polish workers/. However, no importance had been attached either to the rumours or to the cross and it was only in January or February 1943 that he had, by chance, become interested in the graves. It had so happened that in the Katyn forest near the Dnieper castle, traces of a wolf had been observed, which it was supposed had dug up one of the graves and come upon human bones. We know from the deposition of the Russian witness cited above that after the test exhumation of the graves by the Geheime Feldpolizei and the discovery of the body, it was only lightly covered up again with earth, which was probably the reason why it was possible for the hungry wolf to smell the corpse and dig it up. This could well have happened before Lt. Col. Ahrens had received information about the existence of the Katyn graves from 2/Lt Voss.

## 2. *The first German reactions.*

From the report of Prof. G. Buhtz Chief Police Surgeon of the Armeekommando Heeresgruppe Mitte we know that the report by Voss was presented to him already on March 1st 1943/zur weiteren Veranlassung/, and that he became responsible for all further investigation from that day onwards. After having verified on the spot the fact that the data given in the report corresponded to the facts, Prof. Buhtz immediately began the preparations necessary for the exhumation of the bodies from the mass graves after the earth had thawed. On p. 38 of the Amtliches Material we find a description of the preparatory work done during the month of March.

The first judicial statements published in Amtliches Material were dated 18th and 26th April 1943 and signed by Chef Richter Dr. Conrad and Heeres Justiz Amtmann Bornemann. Up to this time all evidence had been taken by the Geheime Feldpolizei.

The German propaganda machine was also given the report of the Geheime Feldpolizei, but there are no data which make it possible for us to say when they began to work on the Katyn case and which of their organs they used, as the German Army had a special propaganda service which was quite distinct from the Ministry of Propaganda. We can, however, safely suppose that 2/Lt. Voss' report was sent to the propaganda officers attached to the H. Q. of the Heeresgruppe Mitte at the same time as it was handed to Prof. Buhtz. They therefore had, like him, roughly six weeks in which to prepare for the public propaganda drive on the 13th April 1943.

A Paris newspaper "Le Monde" in the issue of 1st December 1945 published under the title "Un Document Sensationnel"—"Un Officier Autrichien se vante d'être l'inventeur de Katyn" a telegram revealing that "dans un chateau des environs de Vienne" letters from an Austrian Lt. Sloventzik to his wife and mother in law had been found. The telegram gave a French translation of one of the letters apparently very inaccurate.

We know from the recently received statements of the Polish witnesses that Sloventzik, a journalist from Vienna holding the rank of Lt of the reserve, was attached to the propaganda service of the H. Q. Heeresgruppe Mitte in Smolensk. He had the Katyn case specially assigned to him and, in fact, played an extremely important role at Katyn. He spent whole days in the Katyn forest representing, together with 2/Lt. Voss, the German authorities and acting as guide to various visiting parties. Despite the fact that he is to be seen in the majority of the German photographs of Katyn his name was not mentioned in Amtliches Material and did not appear in our Facts and Documents.

A member of the first Polish "delegation"\* which went to Katyn on April 10th, 1943 /see Facts and Documents p. 226 and fol./ said, in a statement made in London, that after their arrival at Smolensk "in the evening in the officers mess three officers from the propaganda unit of the Smolensk Army, two lieutenants and one captain were introduced to us.

The Katyn case was explained to us by Lt. Sloventzik, an officer of the reserve, supposedly a journalist by profession living in Vienna. Of the two others one introduced himself as a sculptor from Innsbruck. A Lt. with the badges of the Geheime Feldpolizei listened to the conversation from time to time and I suppose

\* On the April 9th the German authorities in Warsaw invited certain people, town clerks, representatives of the clergy and the press, and of the Principal Council for Social Welfare to a meeting and just before it began the President of the Polish Red Cross. Those invited were informed about the discovery in Katyn of the mass graves of murdered Polish Officers and German authorities then suggested that a delegation of the Polish Red Cross should be sent to the spot. The Executive Committee of the Polish Red Cross refused to agree to the suggestion as they regarded the whole affair as a German propaganda trick. As a result the German authorities sent to Katyn on April 10th a party of people from Warsaw and Cracow chosen by themselves. This party was afterwards referred to by the German press and radio as the Polish "delegation".

he was the Voss about whom I heard later. Sloventzik gave us more details about Katyn and showed us photographs of the woods and the bodies as well as of the documents found on the bodies. He also showed us some of the original documents already disinfected . . ."

Finally, a Polish witness, who as a member of the technical commission of the Polish Red Cross spent more than six weeks in Katyn and therefore had the opportunity of getting to know Lt. Sloventzik better gives the following description of him. "Lt. Sloventzik a journalist from Vienna by profession, who actually lived in Smolensk, came to the Katyn forest every day both in the morning and in the afternoon. Lt. Sloventzik devoted himself entirely to exploiting the Katyn case to the greatest possible extent from the point of view of the German propaganda . . . As Lt. Sloventzik was present in Katyn in his capacity as local representative of the German authorities I had to be in contact with him rather often. There were disputes between us more than once particularly on account of the fact, that, as the Katyn graves were being emptied in the course of our work the number of exhumed bodies was still very far from the 12,000 given out by the German propaganda."

A member of the first Polish "delegation" to Katyn when giving a detailed description of his sojourn there gives interesting information about the extent to which Lt. Sloventzik knew the details about the "loss" of the Polish officers whose bodies were found in Katyn: "The second point which is much more interesting than the first one /the story of the discovery of the graves /was that Sloventzik although always inclined to give the most dramatic presentation of the case /from the Polish point of view/ had no idea from where the bodies of the murdered officers could have come. From the depositions of the local inhabitants he only knew that the convoys had come from Smolensk. As he already had photographs and even the originals of some of the letters and postcards found on the bodies he asked us why so many of them were addressed to Kozielsk. I told him briefly what I knew about Kozielsk and also about Starobielsk and Ostashkov and watched his reaction closely. This was very strong and gave me a quite definite impression that Sloventzik had information about Kozielsk only from us. It was also the only bit of the conversation which he made a note of. A few minutes later, after we had finished our conversation, I heard that he had passed on the information about Kozielsk to Olenbusch /of the propaganda department of the General Government/ and to other Germans."

While 2/Lt. Voss was organising teams of diggers and providing guards from the local Russian inhabitants and Prof. Buhtz was making all the preparations for the commencement of the medico-legal work on the large scale, those responsible for propaganda should have, with the aid of the Intelligence service and the police collected the most detailed possible data on the subject of the origin of the graves and the bodies therein, as this was essential to the efficient working of the propaganda drive. The conversation with Lt. Sloventzik on 10th of April, mentioned above, would seem to indicate that this preparatory work was not in fact done by the propaganda service. Six weeks after the discovery of the bodies the "inventor" of Katyn knew nothing about them except that they were the bodies of Polish officers killed by the Bolsheviks. It is highly probable that Lt. Sloventzik's superiors were no better informed.

This would explain the form and contents of the first official German communique on Katyn. It was published by the Deutsches Nachrichten Büro in an apparently very careless manner on the 13th of April 1943 and it contained several drastic contradictions and inaccuracies. Evidently the officials of the Ministry of Propaganda had no precise knowledge either of the history of the missing Polish POW's in the USSR or the details of the Katyn discovery and they tried to cover up this lack of factual information with glaringly demagogic phraseology. They did not know the details about the discovery of the graves and on this point gave to some extent conflicting versions/see the paragraph 1 and 3 of the communique/. They appeared to be ignorant of the topography of the locality where the graves were discovered as they used different geographical names. They did not even know the exact number of the graves discovered nor the state they were in; and they made a mistake as to the age of the spruces planted on the graves. They ignored the real history of the Polish POW's in the USSR and based their story on scraps on information obtained from the Geheime Feldpolizei which had questioned the local inhabitants. Consequently, they gave the number of murdered Polish officers as being "over 10.000" and the population of Kozielsk camp as being "über 60.000 Gefangene Polnische Soldaten" which was completely wrong and they made no mention of Starobielsk and Ostashkov /see the last paragraph of the communique/.

## II. THE WORK OF EXHUMATION AND THE PART PLAYED IN IT BY THE POLISH RED CROSS.

### 1. *The decision to send the delegate of the Polish Red Cross*

The Germans knew few details about the bodies found in the Katyn graves but they had no doubt as to the fact that they were the bodies of Polish officers. Consequently the only preparation made by the German propaganda, prior to the disclosure of the Katyn discovery, was an attempt to gain the collaboration of those people who were directly interested, namely the Poles.

The Polish nation was mercilessly exploited and persecuted by the Germans but it persisted in its indomitable general resistance and the underground struggle had the support of the whole nation. Nevertheless it could be foreseen that the news of the murder of thousands of Polish prisoners by the Soviets would be a serious shock. Meanwhile the cooperation of the Poles being, as they were, the only competent and trustworthy witnesses to the fact that the Katyn discovery was a reality and not merely an invention of Dr. Goebbels, was extremely desirable if not absolutely necessary.

With this end in view the Berlin Ministry of Propaganda sent special emissaries to the chief towns of the Polish General Government just before the disclosure of the Katyn discovery. There, in closed conferences which were attended by specially summoned individuals, they communicated the news of the Katyn discovery. In this way they hoped to obtain witnesses who would be acceptable to world opinion, by inviting them to go to Katyn. Both the news and the invitations were received with great scepticism. It was felt, however, that the information should be verified. Several of the people invited asked for a decision of the Polish underground authorities on this matter and obtained their consent to go. Among those who also went to Katyn were members of the families of some of the exhumed victims, a trusted emissary of archbishop Sapieha from Cracow and members of the Executive Committee of the Polish Red Cross\*, as the work of this organisation included the protection of POW's, keeping in contact with them and the care of the graves of men killed in action.

The Germans on their assumption that the sovereign Polish State had ceased to exist, refused to allow the Polish Red Cross to exercise its normal functions and refused to recognise the rights due to it under international law. On the other hand they did not decide to liquidate it entirely. Consequently during the German occupation the existence of the Polish Red Cross was tolerated but its activities were confined territorially within the boundaries of the General Government and as far as its work was concerned to the care of the disabled soldiers of the September campaign. An Office of Information still remained doing what it could for the protection of POW's and meeting with great chicanery on the part of the Germans.

The unfriendly attitude of the Germans to the Polish Red Cross was the reason why, when organising the first conference on Katyn on April 9th 1943, /see the footnote on p. 9./ they did not immediately invite representatives from it. Only at the last moment the President of the Polish Red Cross Mr. Lachert was summoned by telephone to the meeting. When he declared that he would be able to be present only after one hour he was told that in that case he would be too late. On the afternoon of the same day he received another telephone call informing him of the decision to send a delegation to Katyn and pointing out that "a seat on the plane which is to start for Smolensk on the next day /April 10th/ at 8 a. m. has been reserved for the President of The Polish Red Cross." /From the confidential report on the part played by the Polish Red Cross in the work of exhumation in Katyn near Smolensk for the period April-June 1943 presented by order of the Polish Red Cross/.

The Executive Committee of the Polish Red Cross treated the whole affair as a German propaganda trick and decided not to send anybody and the Polish Red Cross was, in fact, not represented among the group of people who flew to Katyn on the 10th of April.

In face of this negative attitude taken by the President of the Polish Red Cross the Germans began talks with the representatives of the Polish Red Cross District in Cracow and after a few days renewed their attempts to gain its cooperation.

The confidential report of the Polish Red Cross reads: "On the morning of April the 14th Dr. Grunmann from the Propaganda Department of the Warsaw District came to the Polish Red Cross office and presented the President with a verbal summons urging him to send a "delegation" of the Executive Committee of the

\* See the footnote on p. 9.

Polish Red Cross consisting of three people, that very day at 13 o'clock /1 p. m./ by plane to Smolensk. At the same time he mentioned that Mr. Plappert Plenipotentiary of the Polish Red Cross Executive Committee for the Cracow District and his deputy Dr. Szebesta were leaving Cracow in the morning by the same plane together with the representatives of the clergy chosen by the Archbishop. The Executive Committee immediately made an attempt to contact Dr. Szebesta in Cracow by telephone but it appeared that he had already left the office."

In these circumstances the Executive Committee after a short discussion due to lack of time, took the decision which subsequently formed the basis of their policy with regard to the Katyn case.

According to the confidential report this policy was based on the following premises.

1/ The request to send a delegation of the Executive Committee of the Polish Red Cross should be absolutely opposed as such a delegation would bear a propagandist character and it would directly serve the political aims of German propaganda in which the Polish Red Cross should not play any part and from which it must cut itself off completely.

2/ The identification of the bodies in the mass graves was absolutely necessary both for the Office of Information of the Polish Red Cross and for the thousands of Polish families directly concerned.

3/ The Polish Red Cross guaranteed that the work of exhumation, identification and burial of such a great number of bodies would be conducted with due care and piety.

4/ In view of the above it was considered advisable for the Polish Red Cross to send to Smolensk a Technical Committee within the frame-work of the organisation of the Office of Information and thus free from any propagandist character. Its preliminary task would be to enquire, on the spot, if and under what conditions the Polish Red Cross could undertake the work and responsibility of the exhumation.

5/ The exceptionally difficult task of this initial Committee and the compulsory presence of two high officials of the Polish Red Cross in Cracow on this expedition called for complete uniformity in the attitude of the entire Committee to the German propaganda efforts which could be foreseen and in face of other different eventualities which could not be predicted. This could be effected by sending one member of the Executive Committee of the Polish Red Cross in the capacity of a responsible member of the Committee whose task would be to install the Technical Committee on the spot and to immediately present a report to the Executive Committee.

The German Authorities were officially informed:

"The Presidium of the Executive Committee has decided to send to Smolensk 5 people from Warsaw comprising a Technical Committee consisting of 4 people who, if necessary, will remain on the spot and Mr. Skarzynski member and Secretary of the Executive Committee. In view of the fact, however, that the German Authorities have deprived the Polish Red Cross of all its responsibilities including the care of the graves, with the exception of those activities undertaken by the Office of Information Mr. Skarzynski is authorized to act only within the frame-work of the said Office of Information."

It can be seen from the above official resolution and from its confidential premises that the attitude of the Executive Committee of the Polish Red Cross to the Germans was one of the great reserve and caution. Its aim was to do nothing which could serve the purpose of German propaganda and at the same time to do such positive work as was appropriate to its statutory tasks.

In accordance with the policy thus framed the representative of the Executive Committee of the Polish Red Cross declared to Lt. Sloventzik who was representing the German Military Authorities there, on his arrival at Smolensk on April the 15th 1943 that he had come there "only to investigate the graves and to install the Technical Committee which in 2 or 3 days will be able to decide on the extent of the work needed to be done on the graves by the Polish Red Cross. This work will consist in identification of the bodies, reburying them in new graves, taking charge of their possessions and handing them over to the families of the murdered men."

To this he received the answer that "German Military Authorities will give the Polish Red Cross every assistance."

In fact as is stated by a member of the Technical Committee "in the normal course of work done by us the Germans were in general not obstructive, leaving leaving considerable freedom to the Technical Committee and limiting them-

selves to the supervision of our heavy and extremely unpleasant work." The statement adds: "During our stay we felt the whole time that we were under secret German observation but no restrictions or restraints were placed upon us."

After his return to Warsaw the representative of the Executive Committee of the Polish Red Cross presented a report to the Executive Committee on his stay in Katyn/discussed in Facts and Documents p. 231/. As a result the Executive Committee, considering the case to be a very urgent one, sent already on April 19th 1943 three more members to the Technical Committee from Warsaw.

Finally on April the 28th two further members of the Technical Committee went to Katyn by plane together with an expert in forensic medicine, assistant at the Jagellonian University and a member of the staff of the Institute for Forensic Medicine in Cracow Dr. M. Wodzinski accompanied by his three laboratory assistants.

Thus the total number of people sent to Katyn as members of the Technical Committee of the Polish Red Cross rose to 12. As, however, two people returned to Warsaw at the end of April and a third in the middle of May the Technical Committee of the Polish Red Cross in Katyn during the period of effective work i. e. during May and the first days of June 1943 consisted of 9-10 people.

## 2. *The work of exhumation before the arrival of the Technical Committee of the Polish Red Cross*

During the period before the arrival of the first members of the Technical Committee of the Polish Red Cross at Katyn on April 15th 1943 the exhumations there were conducted exclusively by the Germans, using Russian civilian workers under the general technical supervision of 2/Lt. Voss of the Geheime Feldpolizei. Voss made 7 reports on the progress of the preparations for the exhumations and on the exhumations themselves. These were dated February 28th 1943 /the first report on the discovery of the graves/, March 4th, 27th and 31st and April 3rd, 10th and 13th. Only two of these reports those of 27th March and 10th April were published in Amtliches Material entirely or in part. Of the others we find only a mention in a deposition made by Voss before the judicial authorities of the Army on 26th April 1943 /Amtliches Material-document Nr.1/.

From the report of March 27th 1943 we know that the preparatory work on the exhumations had already been completed at that time and that on the March 29th 1943 35 civilian workers brought from neighbouring villages were to start removing the upper layer of earth from grave Nr 1. According to this report it was supposed that this work would take 5 days /see Amtliches Material p. 16/.

After the removal of about 2 metres of earth and the uncovering of the whole surface of grave Nr 1 /8 x 28 m—Amtl. Mat. p. 16/ the top-most layer of 250 bodies was exhumed and the bodies were laid out in the clearing between the short arm of grave Nr 1 and the road through the wood. In order to establish the actual depth of grave Nr 1 a pit was dug out at the end of the shorter arm of this grave right to the bottom and 12 layers of bodies were revealed one on top of the other. This work supplied the basis for the calculation of the number of bodies contained in this grave. It was given by the Germans as 3.000 /250 x 12—/report of April 10th 1943—/Amtl. Mat. p. 32/.

Independently and most probably at the same time as the work was going on grave Nr 1 work was being conducted also with the view to discovering and uncovering further graves. We know from the reports of April 10th 1943, published in Amtliches Material /documents 6 and 12/ that already before the disclosure of the Katyn revelations the Germans knew of the existence of all 7 Polish graves /and of the 4 Russian graves situated in the triangle formed by the roads through the woods /see Facts and Documents p. 309/ although not all the graves were at that time completely uncovered. The report of April 10th 1943 describes them in the following manner:

"Der mit 2 bis 7 bezeichnete Geländeteil wurde an einigen Stellen aufgegraben und diese Stellen miteinander verbunden" /Amtliches Material p. 32/.

A member of the first Polish "delegation" of April 10th 1943 gives in his depositions made in London the following account of the stage of the exhumations at that time:

"The next morning we went by car to Kose Gory. After having turned into the woods we left the car near a large excavation. This was a long trench most probably dug out along the whole length of the grave and right to the bottom but as the limbs and heads of bodies left at the side showed, not for the whole breadth. The section showed that the bodies were lying in a quite orderly manner piled one on top of the other in several layers. The upper layers of the grave dug out in the hilly terrain of Kose Gory were of dry clayey-sandy earth but subsoil

water was seeping into the lower part. We were shown the work begun nearby on the second grave where only the top layers of bodies were uncovered. Local Russians were working at both graves lifting out the bodies.

"After that we visited the whole area of the graves and we soon learned to discern the graves not yet uncovered. They were slightly sunk at the edges, the surface was not level and moreover they were overgrown with young spruces which were undoubtedly planted intentionally on the top of the graves. These small trees, all of the same height, stood out quite distinctly from the background of the forest which was a neglected and wild but not very old spruce grove. The spruces planted on the graves gave the impressions of being healthy and well rooted trees and they must have been growing on the graves for more than one year."

The first communique of Deutsches Nachrichten Büro stated that "up till now two great mass graves have been found and further test digging has shown the existence of at least two more graves."

An article of Robert Broess of April 12th 1943 published in the Argentine newspaper "El Pampero" also spoke about two grave-trenches only, referring moreover to conversations with Prof. Buhtz in which 5 more test diggings were mentioned which points to the existence of further graves /see Facts and Documents p. 239/.

The work of removing the 2 mtr thick covering of earth was not easy and took much time. The member of the Technical Committee of the Polish Red Cross who arrived at Katyn on April 29th 1943 states that at that time "the graves which were subsequently numbered 1, 2, 3 and 4 were already completely uncovered in such a manner that the whole covering of earth was removed and the upper-most layer of bodies completely exposed. From the graves subsequently numbered 5, 6, and 7 the covering of earth was just being removed and the graves themselves were already partly exposed."

We see from the above that in the first period of exhumation conducted by the Germans without the participation of the Technical Committee of the Polish Red Cross, two or even three graves were completely uncovered. The remaining four or five graves were, it is true discovered and exposed by means of so called test section but the covering of earth was not yet completely removed from the graves which gave the members of the Technical Committee the opportunity of seeing some graves practically untouched by the Germans.

A member of the first Polish "delegation" of April 10th 1943 states that during his stay in Katyn "the work was only in a preliminary stage. In the clearing in the woods near the graves about 200 bodies taken out of the grave were lying awaiting post mortem examination. The bodies were numbered and laid out in several rows. Near Dr. Buhtz's hut a number of bodies were lying here and there which had apparently already been examined by Dr. Buhtz. On the trees and the branches items of uniform taken from the bodies were hanging. The whole made an impression of work just began and not yet properly organised."

The representative of the Executive Committee of the Polish Red Cross who arrived at Katyn on April 16th referred in his report presented to the Executive Committee to "about 300 bodies having been taken out up till now." This number was confirmed in the report of the Polish officers, POW's in Germany who were brought to Katyn on April 17th 1943.

Finally the exact number of bodies exhumed at Katyn by the Germans without the assistance of the Technical Committee of the Polish Red Cross was given in the "list of the order of burial" which was attached to the "report of the Technical Committee of the Polish Red Cross" on its work in Katyn.

In the chapter entitled "Grave 1" it was reported that in the period 22nd-24th April in all 310 bodies were reburied in this grave "partly without the assistance of the Technical Committee of the Polish Red Cross, only by the German military personnel", of which 112 had no list numbers and 198 were numbered consecutively 3-200 inclusive /the two first list numbers were allocated to the bodies of Gen. Smorawinski and Gen. Bohatyrewicz which were buried in separate graves/.

This last document confirms the impression already mentioned that the German exhumations "were not yet properly organised." The Germans, known for their pedantry and love of system, were not able in the few weeks available to organise properly the work of exhumation with the result that over a hundred bodies had no list numbers and did not appear in the German official list of exhumed bodies. For unknown reasons the first numbering of exhumed bodies was stopped at number 112 and a new numerical series was began starting with number "01" with the result that 112 numbers were completely omitted.

The fact that the Germans although able to call upon the necessary labour were yet unable to organise properly the exhumations was the reason all the work went into Polish hands.

3. *The organisation of the work undertaken by the Technical Committee of the Polish Red Cross*

The first three members of the Technical Committee arrived at Katyn on April 16th 1943 and intended to set to work on the very next day organising it in the following way. One of them was to work at deciphering the documents found on the bodies in the office of the Feldpolizei at Grushtshenki, the two others were to search for and preserve the documents on the bodies in the Katyn forest.

The arrival on that day of the "delegation" of Polish officer-prisoners from German Oflag and the visits of foreign journalists on the 20th of April 1943 as well as some technical difficulties which could not be solved before Lt. Sloventzik had been contacted, resulted in a delay of some days of the work of exhumation being taken over by the Technical Committee. Meanwhile on the 20th of April three more Poles arrived and on the 28th came the Polish expert in forensic medicine with two qualified prosecutors and three Polish Red Cross officials. This increase of the number of the members of the Committee made a better organisation of work possible. Thus approximately from the first of May the work of exhumation was done in the following consecutive stages:

- a/ the digging up and lifting out of the bodies,
- b/ the examination by the doctor and in certain cases the performing of the post mortem on unidentified corpses,
- c/ the searching of the bodies and the removal of the documents,
- d/ the reburial of the bodies,
- e/ the examination of the documents found on the bodies.

All this work was performed under Polish management and German supervision, which was assigned to the N. C. O.'s of the Feldpolizei who confined themselves to watching the work without interfering with it.

Many conflicts resulted from the basically different attitude taken to the work at Katyn by the Poles and Germans. The Poles were wholly interested in the work of exhumation, identification and reburial of the bodies being performed with the greatest possible piety and in a conscientious, orderly and efficient manner: the Germans were only interested to exploit the situation as far as they were able for the purpose of political propaganda. But over to the technical side of the exhumation and identification work which lasted for more than one month the Technical Committee had no serious dispute with the Germans.

The members of the Technical Committee were provided with arms bands of the Red Cross and were given complete freedom to move over the whole terrain of the Katyn forest and to contact freely the inhabitants and the Todt organisation workers. The ban on taking photographs at Katyn, promulgated by Voss, did not apply to them. This freedom was granted somewhat ostentatiously to impress the visiting parties coming to Katyn.

In principle, the working day of the Committee lasted from 8 a. m. to 6 p. m. with an hour and a half for lunch. But the visiting parties coming continually to Katyn often interfered with this time table and were the subject of several discussions between the Technical Committee and the German Authorities. Eventually, visits to the scene of the crime were confined to certain hours which were not however always strictly kept. Particularly was the work of the Committee disorganised when important delegations arrived.

The Germans usually did not directly stop the work but interrupted it by not supplying workers on some days. Special difficulties were often experienced with Russian POW's who were employed digging new communal graves and reburying those bodies already examined by the Technical Committee. The members of the Committee did not believe in Sloventzik's explanation that he had difficulties in securing prisoners. They believed that the Germans deliberately retarded the reburying of the exhumed bodies in order to make a greater impression on the parties visiting Katyn. The keeping of unburied bodies on the surface for several days made the already heavy work still harder.

We will now proceed to a detailed description of the work of the Technical Committee.

a/ *Digging up and lifting out of the bodies.*—Local civilian workers dug up the graves under the supervision of members of the Technical Committee. They worked in teams of two and the average number of teams working at the same time in the graves was three. The rest of the workers were employed carrying away the bodies. When lifting the bodies the workers used iron hooks with the aid of which they were able to detach the individual corpses from the conglomerated mass. As well as hooks they also used shovels and sometimes even picks because in certain cases the bodies were so firmly stuck together that they could not be separated in any other way. The Committee would have preferred the



bodies to have been lifted out by hand in order to avoid damaging them especially in cases where they were not lying in orderly layers, but they had to agree to tools being used. The fact that the bodies were so firmly jammed together precluded any suspicion of the bodies exhumed by the Technical Committee having been previously disturbed.

After the separation of the individual bodies from the mass they were placed on wooden stretchers, lifted to the surface, and laid in rows on the ground. Usually 70-150 bodies were lifted out in one day, the average number being about 100. In principle, The Technical Committee endeavoured to rebury the bodies on the same day as they were lifted out and in the same order, in new communal graves which however, for the reasons mentioned above, was not always possible. As a result there were often several hundred unburied corpses lying about.

b/ *Medical examination and post mortems.*—At the beginning of his work with the Technical Committee the Polish expert in forensic medicine examined all bodies without exception. The following is an excerpt from his deposition made in London.

"I performed them, /the examinations/ as a rule, with the help of Ferdinand Plonka. During these examinations, after having shaved off the hair on the back of the head we found, generally, at about the breadth of two fingers below the occipital protuberance most often in the middle line of the body an entry wound in the form of a roundish aperture with the diameter of about 8 mm. After cutting the skin at the back of the head it could be seen that the bullet channel usually ran forwards and upwards into the cranial cavity through the base of the occipital bone. After the entry aperture had been cleaned from soft tissues its diameter was measured by means of a metal rule and generally not quite 8 mm. The entry aperture was characterised by even outer edges which expanded crater-like towards the interior of the cranium. After the examination of the entry wound we looked for the exit wound which was almost always located on the forehead of the victim, more or less at the edge of the scalp, sometimes in the middle line of the body and sometimes a little to the right or left. The exit wounds were characterised by greater dimensions than those made by the bullets entry, their diameter attaining the breadth of sometimes 15mm, by uneven edges and sometimes by the presence of small bonesplinters in them. After the measurement of the dimensions of the wound the skin was cut open and the edges of the bone aperture were cleansed from soft tissues and the exit aperture of the frontal bone was examined . . . . By means of a probe the direction of the shot was determined and it was established that it had usually damaged the vital centres in the medulla causing the instantaneous death of the victim. In some cases the cranial cavity was opened up and the preagonal reaction established which took the form of large rust-coloured hemochromogen deposits at the base, on account of the hemorrhage into the cranial cavity. Often after the skin and the soft tissues had been cut, bloody stains were found in the vicinity of the entry wounds . . . Then the length of the body was measured and it was examined for other lesions in particular for lesions which would testify to a struggle having taken place before death with an aggressor."

The Polish doctor in Katyn after having examined 800 bodies in the manner described above stopped, in the first half of May, further examination of all bodies without exception and confined himself to a detailed examination of only those bodies on which no documents had been found and which had been listed as unidentified. He had been forced to do this because the original plan of the Polish Red Cross to send at least three forensic medicine experts to Katyn had not been carried out despite all the insistent endeavours of the Executive Committee of the Polish Red Cross in Warsaw.

With reference to the unidentified bodies the doctor further states. "In these cases I measured the length of the body and gave the dental particulars, in particular the number of false teeth, and the age on the basis of the length of the marrow-cavity within the head of the humerus. I also described the clothes and paid special attention to monograms and trademarks and I paid attention, in general, to all the data which could have been of use for identification purposes. In cases where the length of the body could not be established because of the great degree of putrid decomposition I measured the length of the two long bones in order to determine later the approximate length of the body by means of the formula accepted by forensic medicine. In the more interesting cases which differed from the norm I took photographs."

Detailed dissections of bodies were not, as a rule, made as during the examination the cause of death, namely the shot in the back of the head, was established without doubt. Independently of the Polish doctors examinations individual

bodies were examined and sometimes also dissected by German doctors, Dr. Schmidt, Dr. Müller, Dozent Dr. Huber. For several weeks at the end, there also worked at Katyn, a Dozent of chemistry of one of the German universities whose name was Specht and who made a detailed chemical research and in particular measured the acidity of samples of earth taken from different layers in the graves and their vicinity. From this research it was discovered that in the upper layers of the graves the reactions of the earth showed a slight alkaline content but the earth gave a decidedly acid reaction the deeper the layer. The attitude of the above mentioned German doctors to the members of the Polish Technical Committee was courteous and they communicated to them the results of their research.

Prof. Buhtz himself, during the period of the work of the Technical Committee at Katyn, came irregularly from Smolensk, usually when more important parties and delegations visited the place of the crime. According to the opinion of the Polish doctor Prof. Buhtz treated the work being done at Katyn exclusively as a man of science and because of this he even had some disputes with the local chief of the German propaganda.

c/ *Searching of the bodies.*—Independently of the medico-legal examinations all the bodies removed from the graves were minutely searched and everything which could be of any importance for identification purposes was taken off them. The members of the Technical Committee, assisted by two Russian civilian workers, slit open all the pockets of the clothes taken off the bodies with knives and took out all the contents passing them to other members of the Technical Committee. These, after examining them, put them into numbered envelopes. Other objects, for example Polish pre-war bank notes, were left on the spot as were also the newspapers which were very often found with the bodies. All these newspapers were dated March and April 1940. They were Soviet newspapers, mostly *Głos Radziecki* /Soviet Voice/, which was published in Polish in Kiev.

"Because there was such a large number of these newspapers" states a member of the Technical Committee "only a few copies were kept and the rest were left for a long time scattered about in the clearing near the graves. Then, after the emptying of the original graves, the newspapers and the other rubbish was thrown back and the graves were filled up again."

From the bodies on which no documents were found which could be used for identification purposes or, at least, as evidence of the military rank, one epaulette was taken and put into the envelope. At the same time a number corresponding to that on the envelope was stamped on a metal disc and pinned on to the uniform, at the breast of the body, by the Russian civilian workers. In cases where the bodies had decomposed to an exceptional degree the metal numbers were fixed to the bones of the corpses by means of a wire. Because in some cases razors, penknives, valuables and documents were found in the legs of the boots these were generally slit open and examined.

It should be stressed that the members of the Technical Committee did not conduct their inspection of the documents found nor did they identify the bodies or list them on the spot, near the graves. The numbered envelopes in which the objects found on the bodies had been placed were laid on a table in rows and, when work ceased every evening, were collected by a German dispatch rider on a motor cycle who, often accompanied by a member of the Technical Committee took them to a house 5-6 kilometres in the direction of Smolensk where the Commission was located which was drawing up the identification list of the bodies and of the objects and documents found on them.

d/ *The reburial of the bodies.*—The bodies having been examined and provided with metal discs were then reburied in new communal graves dug out by Soviet prisoners brought from Smolensk by the Germans. The original plans made for burying the exhumed bodies in individual graves had to be abandoned in view of the technical difficulties and the Technical Committee was forced to agree to new communal graves. The only exceptions were made in the case of two of the identified generals—Smorawinski and Bohatyrewicz.

The new communal graves were situated in the clearing, between the shorter arm of grave Nr 1 and the road through the wood. The ground on both sides of the communal graves was low and marshy but the graves themselves were made on higher ground which was dry and sandy. The size and the depth of each grave was not the same on account of topographical conditions and technical difficulties which arose in the course of the work. The bottom of each grave was perfectly dry and each of them, according to its size and depth, contained several rows of bodies in each layer. The graves were filled in in such a way that the upper layers of bodies were covered with the metres of earth. All the graves were levelled at

the same height and had the sides turfed. On every grave was placed a wooden cross two and a half metres high under which a few wild flowers were planted. On the surface of each grave was put a large turf cross. The graves were numbered in the same order as they were made. The bodies were placed with the heads to the East, one on top of the other, the heads somewhat raised and the arms crossed. Each layer of bodies was covered with 20-30 centimetres of earth. A member of the Technical Committee supervised the placing of the bodies in the graves in their order on the list. As it was planned to take the bodies back to Poland, detailed plans of the graves and the place of each numbered corpse in them were drawn up. The cemetery when finished occupied a square of 60 x 36 metres. The first grave was completed by the Germans without the participation of the Technical Committee on April 24th, the second on May 5th, the third on May 12th, the fourth on May 24th, the fifth on June 1st and the sixth on June 7th. The location and the dimensions of the graves will be found on the attached plan.

*e/ The examination of the documents found on the bodies.*—The Germans had established a temporary laboratory where the Katyn documents could be deciphered, in a wooden house of several rooms occupied by the Feldpolizei which was situated in the locality of Grushtshenki, about 5-6 kilometres in the direction of Smolensk. The members of the Technical Committee worked at the deciphering of the documents in the laboratory which was situated on a glassed-in veranda, under the supervision of a German NCO of the Geheime Feldpolizei who was billeted in the same house. He was assisted by another German who took his place in case of need. There was also a woman Volksdeutsch working on the veranda well acquainted with the Polish language who translated on the spot the more important documents, especially the diaries of the victims, into German.

2/ Lt. Voss lived near the house and also supervised the work in the laboratory. It was by his orders that all the foreign money and valuables found on the bodies were retained in the house while the other objects and the documents were put into the numbered envelopes which were then placed in serial order in wooden cases.

The work in the laboratory was organised as follows. All the objects from each envelope brought from Katyn were taken out and listed. Then on the basis of the personal documents found on the body if any and if not on that of the uniform epaulette the military rank and if possible other personal data of the victim was established. The name thus established and the contents of the envelope were catalogued numerically in German by a German NCO.

At the beginning when the Technical Committee's team was small/before May 1st 1943/the lists were drawn up only in the German language/nrs 421-794/ afterwards/from nr 795/the lists were made up in Polish just for the use of the Polish Red Cross, and in German by the German NCO. The identification of the bodies from Nr 1 to 112 and from Nr 01 to 0420 was made by the Germans before the arrival of the Technical Committee. If identification proved impossible a note was made to this effect against the serial number, together with a list of the documents found on the body. Such documents were subsequently sent by the German authorities to a special chemical laboratory for a more scientific examination. After the contents of the envelope have been gone through, the documents and other objects were put into new envelopes which were given the same number and on which the contents were enumerated. This was done by the Germans. The envelopes containing the materials were put into the cases which remained in the exclusive possession of the German authorities. The deciphering of the documents found on the bodies presented much difficulty in view of the fact that in cases where the bodies were partly mummified the documents had become desiccated and the paper, when carelessly handled, disintegrated. Such documents were moistened with water and with the aid of ivory knives the pages were very delicately separated one from another and afterwards deciphered. The documents found on the bodies underwent a partial chemical transformation and were covered with a tiny layer of white wax but after being separated and scraped with small wooden sticks presented no special difficulty in deciphering if they were printed or written with a lead pencil. Writing in ink however had faded completely away and could not be read with the naked eye. Although diaries and other documents of special interest were treated by the Germans with special care and immediately passed over to the woman Volksdeutsch to be translated into German the Polish members of the Technical Committee were able to get a good look at them and in many cases were even able to take exact copies, of them. Besides the diaries the Polish members of the Committee read also letters found on the bodies which had been written by the prisoners but not posted or had been

received by them at Kozielsk. The dates of all these letters according to the deposition of a member of the Technical Committee were not later than April 1940.

*4. The course and the conclusion of the work done by the Committee.*

Up to the middle of May 1943 the bodies were exhumed only from grave Nr 1 and these numbered about 1700. Despite the fact however that the grave Nr 1 was not yet completely emptied the Germans would not permit the removal of some hundreds of bodies still remaining there since for propaganda purposes they wished to have this largest grave open and partially full of bodies. In particular the Germans ordered the preservation of the sap made in the initial stage under the end of the grave, where 12 layers of bodies one on top of the other could be seen. This sap was shown to all visitors to Katyn.

The subordination of the work of exhumation to propaganda purposes resulted in the fact that the further exhumation from the other six graves was carried out at random as the Germans for some time did not allow them to be completely emptied. The Technical Committee however tried to work as systematically as possible and to empty each grave in turn. In general a group of workers having started the work on one grave worked there for the whole day. But because of the relatively small dimensions of the graves other than the graves 1 or 2 two pairs of workers at most could work on the same grave at once. As on an average three pairs of workers were working every day, bodies were often exhumed from two neighbouring graves at the same time which made it difficult to establish which bodies were lifted from which grave.

The member of the Technical Committee in his deposition made in London says: "Grave 3 was emptied first, followed successively by graves 4, 6, and 7. Graves Nr 1, 2, and 5 were emptied later; grave Nr 1 because of its dimensions, grave Nr 2 because of the characteristic arrangement of the bodies and grave Nr 5 because it was flooded with water."

His description of the Katyn graves reads as follows:

"As I have already stated the biggest of all the Katyn graves was grave Nr 1 which was shaped like an "L". Its long arm ran along the slope of the Western side of the sandy mound. The upper layer of the grave consisted of airy light sand and below that was layer of sandy clay, and below that again a layer of compact, wet, black peat of which the walls of the lower part of the grave and its bottom was formed. The bottom of the short arm was level but the bottom of the long arm was terraced and there were 5 of these terraces. The depth of the longer arm thus decreased gradually as it sloped downwards and westwards. On the terraces the bodies were laid alternatively in a very orderly manner but higher up they were helter-skelter/like herrings in a barrel/. The bodies in the upper layers were light and fragile and the facial features had disintegrated giving the appearance of a partial mummification. Proceeding gradually downwards and coming to the clayey layer of the grave we found here that the bodies were already well preserved with the facial features distinct and covered over with a whitish layer of sticky grease which had an unpleasant, sharp, putrid smell. This layer of grease protected the bodies from external influence, and was a sign of fatty degeneration. Those bodies within the past layer were relatively the best preserved. They showed only a marked flattening resulting from the great pressure upon them of the upper layers of bodies. Likewise the clothes of the bodies in the upper layers were faded and brittle to the touch becoming progressively stronger the lower the layer.

"As to the more interesting details concerning the bodies in grave Nr 1 it should be stressed that they were dressed in Winter clothes, warm underwear, sweaters and so forth. The wooden soles so called "apelówki"/parade soles/attached to the shoes were found in relatively great numbers. A number, not very great, of bodies had their arms tied behind the back with a cord."

"Grave Nr 2 had sandy soil only in its upper layers which quickly passed into a clayey layer. In graves Nr 3, 4, 6, and 7 the sandy layer was perhaps a little thicker but underneath it there was a clay as in grave Nr 2."

"The bodies in grave Nr 2 were carefully laid out with the faces downwards and the arms crossed behind the back. Each row was laid in such a way that the faces of one were lying on the thighs of the one below. The bodies in graves Nr 2, 3, 4, 6 and 7 were pretty well preserved and had the appearance of partial fatty degeneration. Among other characteristic details, apart from the exceptional packing of the bodies in the grave Nr 2, it should be stressed that all the bodies in graves Nr 6 and 7 had the arms tied behind the back. In all these graves the bodies were also dressed in Winter overcoats and warm underwear and in some cases had wooden 'apelówki' attached to the shoes.

"In grave Nr 2 the bodies were laid in an extremely careful manner which was not met with in other graves and in such a way that all the bodies were lying face down with the arms crossed behind the back. At first glance this arrangement of the bodies might give the impression that the victims had been first led into the grave then pushed over and shot in a prone position. For this reason the Germans drew the attention of visitors especially to this grave Nr 2 and stressed the exceptional cruelty of the crime."

As the graves were being gradually emptied it became, by the second half of May 1943, more and more obvious that the total number of bodies exhumed at Katyn would in no case exceed 4,500. As this was in glaring contradiction to the German propaganda which had put out and continually repeated the figure 12,000 as being the number of Katyn victims, the Germans were faced with the problem of finding a way out of this difficulty.

We do not know who took the decision on this point nor when. It was undoubtedly taken, after some indecision, by the central authorities, the Technical Committee working in Katyn remaining in ignorance of it. On the other hand in Warsaw the Executive Committee of the Polish Red Cross became aware, at that time, that its direct communication with Katyn was completely cut off. The "Confidential Report" of the Polish Red Cross stresses that the Germans had promised originally that "the Polish Red Cross will be able to have the use of one plane a week, and correspondence will be delivered to the spot by field post after three days." After, however, the return in the middle of May 1943 "to Warsaw of one of the members of the Technical Committee a period of subterfuge began." The final complement of the Technical Committee together with its new chief which had to go to Katyn, waited in vain for a plane and "daily telephone conversations with Mr. Heinrich gave no other answer than that the plane will go any day."

The report goes on: "At last at the May 20th Mr. Heinrich said confidentially that the military authorities had decided to interrupt the work at Katyn before the end of the month so that the journey thither, of the new chief, would be unnecessary. Dr. Grundmann, on being questioned by me several days later, said that he knew nothing at all about it and promised to get into touch immediately with the Smolensk army and find out if such an order had been given."

Obviously the Germans realised that a sudden and objectively unfounded "interruption" of the Technical Committee's work of exhumation at Katyn would, in view of the world publicity that it had received, have a very a bad effect so they did not wish to take a decision overhastily. On the other hand they deliberately rejected the possibility of disclosing the true number of bodies in the Katyn graves and thereby admitting their propaganda to be lying on this point. As a result, as well as deciding to isolate the Technical Committee at Katyn, they must have taken another "temporary" decision, namely to look for further graves in the Katyn woods which would increase the total number of Katyn victims. It must be stressed that in this period, contrary to that before the Katyn revelations, the Germans were accurately informed about the details of the "loss" of the Polish officers in the USSR. Through the communique of the Polish Minister of National Defense of the 17th April 1943/see Facts and Doc. p. 250/and other Polish publications, both official and unofficial, they knew of the three great camps of Polish prisoners in the USSR—Kozielsk, Starobielsk and Ostashkov. As, up till that time, all the bodies exhumed at Katyn had been of victims from Kozielsk it could have been supposed, on the assumption that Katyn forest was the only place where Polish officers in the USSR were murdered, that there were other groups of graves, namely, those of the inmates of Starobielsk and Ostashkov.

Thus, in the second half of May 1943 the Technical Committee noticed that the Germans were beginning an intensive search in the forest for further graves. For this purpose they principally used the method of sounding the earth in the suspected spots with iron sticks. In the beginning, this work gave no results but in the last days of May, when the Technical Committee was already finishing the emptying of graves 1 and 2, two small graves containing less than twenty bodies each, in a condition of a considerable decomposition, were discovered. There were situated near the small path in the wood in the direction of the Dnieper about 350 metres from the sandy mound in which were the other Polish graves, in the middle of a spruce grove 20-30 years old. The surface above the graves at the time of the discovery was covered with a thick layer of pine needles. On closer inspection of the bodies it was, however, stated that they were not the bodies of Polish officers but of Soviet citizens, some of whom were in Soviet uniforms on which there was green and red braid.

"Among the bodies clad in civilian clothes of Soviet type"—reports the doctor of the Technical Committee—"were found also the bodies of several women in

typical Russian high boots with sloping tops and high cuban heels. Judging by the degree of decomposition of the bodies I fixed the age of those in one grave at about 10 years and in the other grave at about 5-7 years. All these bodies also had bullet wounds with the entry apertures in the occipital bone and the exit apertures somewhere in the frontal bone. No cartridge cases were found in these graves and on the basis of the dimensions of the entry apertures the caliber of the bullets should be calculated as being not more than 8 m/m.

At that time, towards the end of May 1943, activity on the Eastern front increased and the front appeared to be moving westwards so that at Katyn the sound of guns was growing greater and greater. In the last days of May there was a night raid of several dozen Soviet planes which destroyed German supply stores between Katyn forest and Gnezdovo station, some bombs falling in the vicinity of Katyn forest. For that reason the members of the Technical Committee of the Polish Red Cross began to feel more and more uneasy at Katyn fearing their fate in the event of the Katyn area being occupied in a Soviet offensive. Their representatives went to Lt. Sloventzik and told him that the work of the Committee, being practically finished, they intended to terminate it definitely in the next few days and they would then wish to return home. Lt. Sloventzik replied to this that the number of exhumed bodies was definitely too small and that there must be still more graves of Polish officers in the Katyn forest area and the Committee should therefore wait for the final results of the search then going on.

During the discussion Lt. Sloventzik asked, among other things, that the Technical Committee should give, in their final report, the figure of 12,000 as the probable final total of Katyn bodies.

"When resisting this suggestion" reports the Polish doctor "I asked on what basis I could give such an untruthful figure, Lt. Sloventzik stressed that if the German authorities gave such a figure no one must be allowed to question it, as if they did, he might have to pay with his head. At that the conversation was interrupted but I personally realized what a dangerous situation I and the whole Technical Committee was in."

At the time of the conversation with Lt. Sloventzik all the Katyn graves except grave 5 were already empty. Grave Nr 5 lying as it did at the lowest level, just at the edge of the marsh had for some time been 2/3 full of subsoil water. The high level of the water made the exhumation of the bodies impossible so that only those few had been taken out which had risen to the surface. Because of this, already in the middle of May, the Technical Committee had turned to Lt. Sloventzik and 2/Lt. Voss and asked them to provide a pump with which to remove the water covering the bodies. They were promised then that a pump would be provided by the fire station in Smolensk. But although several weeks elapsed a pump was not supplied. As the exhumation work was drawing to a close in the remaining graves the Poles insisted more and more vehemently that the German authorities should provide the promised pump. But on this point a passive or even obstructionist attitude on the part of both Sloventzik and Voss could be definitely felt. As a result of some hot days at the end of May the subsoil water in grave 5 fell considerably but even so the bodies remaining there still stuck in the mud.

"On the 30th or 31st May" states the Polish doctor quoted above "I noticed that the Russian civilians working in Katyn started to fill in grave Nr 5 which had, until then, remained open. Asked why they were doing it they replied that they had received an order to this effect from the German officers Sloventzik and Voss. In view of this I immediately went to Lt. Sloventzik to intervene and ask him to countermand the order given to the Russian workers, because the Technical Committee wished to exhume all the bodies of Polish officers at Katyn, to bury them in new communal graves and to make a complete list. To this I received the reply that as they had been unsuccessful in getting the awaited pump and because the smell of the corpses was increasing with the heat he could not force the Russian workers to do this extremely unpleasant work of exhuming the bodies from the mud in grave Nr 5. After more discussion Lt. Sloventzik said that if we cared so much about emptying this grave we could do the work but only on our own account and by ourselves. During this conversation Lt. Sloventzik asked me what my estimate of the number of bodies in grave Nr 5 was. To my answer, that according to my estimation the number would not exceed 50 he shrugged and said that in his opinion there were certainly more than 200 bodies in this grave."

Eventually the work being done by the Russian workers of filling up grave Nr 5 was stopped and on the 1st of June 1943 the members of the Technical Committee

threw a bridge across the grave and started themselves to fetch up the bodies from the mud. This work was very difficult on account of the great degree of decomposition of the bodies which meant that the limbs or heads often came apart from the trunk as the bodies were being lifted out, by hand, from the mud. A typical feature of the bodies exhumed from this grave was the fact of the hands of all of them being tied behind their backs with a white cord tied in a double knot. Their greatcoats were tied round their heads. These greatcoats were tied with the same kind of cord at the neck level and sometimes a second knot had been made above the head of the victim. At the neck there was a simple knot and the rest of the cord was passed down the back, wound round the tied hands and then tied again at the neck. In this way the hands of the victims were pulled up to the height of the shoulder blades. Victims tied up in this way were unable to give any resistance because every move of the hands, tightened the noose round the neck thereby throttling them. They were, besides, unable to make any sound on account of the greatcoats over their heads. The Polish medico-legal expert declared that, from the "point of view of forensic medicine and criminology, such a way of tying up the victims before execution was inflicting especially refined torture before death."

"In one case", he said further on, "a small quantity of saw-dust was found between the mouth of the victim and the greatcoat. The sawdust was also found in the mouth of the victim which meant that if he had taken a sharp breath or cried out the sawdust would have entered the breathing tubes and caused him to suffocate and strangle. In a few cases/2-3/I saw a gag made of felt stuck into the mouth of the victim with strings attached at each side which were passed round the cheeks and tied in a knot at the level of the occiput."

Between 10 and 11 a. m. on the first of June 1943 while the members of the Technical Committee were working at grave Nr 5 the news was suddenly brought of the discovery of a new grave of Polish officers. Because of this news they interrupted the work on grave Nr 5 and moved over to the newly discovered grave Nr 8.

"It was located" reports the Polish doctor "at a distance of more or less a hundred metres southwest of grave Nr 5 in a direct line with the prolongation of the long arm of grave Nr 1. It was on a small hilly mound on the other side of the marsh and behind the path through the wood which branched from the main path leading to the NKVD house by the Dnieper, which formed an arc running north-west. After arriving there I saw a sap already dug out by the Russians workers about 4 metres square in dimension at the bottom of which, at a depth of not much more than 1 m. could be seen bodies, in Polish officers uniforms. With regard to the general view of grave Nr 8 it should be stressed that on the top of it, could be seen a trough like hollow with a diameter of about 40 m<sup>2</sup> over which was growing luxuriant broad bladed grass."

On June the 1st 10 bodies were taken out of this grave and it was immediately evident that these bodies were dressed differently from those in the other graves, namely, they had no greatcoats. Closer examination of these bodies from grave Nr 8 revealed also that they had no warm underwear nor sweaters, scarves and "apelówki". The pockets of their clothes were found to contain Soviet newspapers of a later date than those newspapers found on the bodies in the other graves, namely of the early days of May 1943.

All the documents found on the bodies exhumed from grave Nr 8 were, like the documents taken out from the other graves, marked Kozielsk. They were, in the main certificates of inoculation against typhoid fever, which had, generally speaking, been found on all the bodies at Katyn. Moreover wooden cigarette holders and cases found on these bodies from grave Nr 8 bore the inscription "Kozielsk".

Close to the edge of grave Nr 8 at its south-east end wooden pickets were knocked into the bottom of the grave and woven with fascine. It was not quite clear why this fascine fence had been built into the grave and it could only be conjectured that it was meant as a boundary to the grave. In the part of the grave close to the edge there were only 4 layers of bodies lying one on top of another.

On June the 2nd test digging was done in order to establish the dimensions of the newly discovered grave. On the basis of these dimensions the medical member of the Technical Committee estimated the contents of grave Nr 8 as not exceeding 200 bodies.

"When I mentioned this figure to Lt. Sloventzik I noticed that he became nervous and angry. He told me once more that nevertheless, the total number of 12,000 was not to be questioned."

"It should be mentioned that during a former conversation with Lt. Sloventzik about the number of Katyn victims this witness had told him that, in his opinion,



12,000 bodies could definitely not be found at Katyn as, judging by the documents found on the bodies, all the victims had been brought from Kozielsk where there had not been such a large number of prisoners. Sloventzik told him that as, after all, the entire Katyn forest was one big cemetery undoubtedly other groups of graves of Polish POW's from other camps would be found, especially of those from Starobielsk. Therefore, when the new grave Nr 8 was found, located separately from the others, the Germans supposed that they had indeed found the group of graves of POW's from Starobielsk. But the documents found on the bodies as well as the other objects /cigarette holders/ proved that the victims in this grave also came from Koziesk. This fact, as well as the small dimensions of the grave, shattered the hopes of the Germans and hence their original delight caused by the discovery of a new grave, quickly changed into "obvious discontent."

Because of this and because of the failure of the German search for new graves at Katyn the decision was taken to interrupt the work of exhumation. The initiative in this matter was taken by the Polish doctor who suggested it to Sloventzik. As he was completely cut off from the Executive Committee of the Polish Red Cross in Warsaw he did not know that the Germans had, for some time, been considering the possibility of "interrupting" the work as this was the only way out of the difficulty created by them having published and continually repeated the figure of 12,000 Katyn victims in their propaganda. The Polish doctor's reasons for wishing to interrupt the work were, that the Technical Committee could no longer carry on with the very heavy and unpleasant work without assistance and the fear of the approaching Soviet offensive, as well as of the prospect of "paying with their heads" if they refused to give the false number in the final report to be made at the end of the exhumations.

This Polish proposal for interrupting the work at Katyn suited the Germans extremely well as it provided them with the guarantee that no objections would be raised on the Polish side when an official communique would announce that the work in Katyn would not be finished, but, after the exhumation of over 4,000 victims, only temporarily "interrupted". Lt. Sloventzik, however, was not satisfied and wished to provide the Germans with additional proofs that not all the bodies had been exhumed at Katyn and declared that the newly discovered grave Nr 8 would not be uncovered further but would be left until the Autumn, before its contents were disclosed.

The Polish doctor accepted Lt. Sloventzik's decision although his instructions from Warsaw from the Executive Committee of the Polish Red Cross, were explicitly to the effect that all important decisions must be left to them. But it should be stressed that for some weeks, there had been no sign of life from Warsaw and that he had no possibility of getting in touch with the Polish Red Cross' authorities. Moreover his agreement was given only after some consideration, a fact which he emphasized in his depositions made in London in 1947.

"Despite the failure over grave Nr 8 Lt. Sloventzik told me again that in his opinion there must be further Polish officers' graves in the Katyn forest and that the search for these graves would continue. To this, referring to my previous conversations, I declared categorically, that the present team which had worked then, for more than one month in very difficult and unpleasant conditions, was most decidedly overworked and refused to stay and work longer at Katyn. I drew his attention also to the increasing heat and the fact of its causing the stench of the bodies to grow more and more horrible as well as to the danger of epidemics. I impressed upon him that it was still our wish to exhume all the bodies of Polish officers at Katyn and to rebury them properly, so that in the case of further graves being discovered the work interrupted then, could be resumed in the Autumn and brought to a finish. To this Lt. Sloventzik replied that if that was the case, the further exhumations from grave Nr 8 would be made in the Autumn and for the time being the uncovered part of the grave should be filled in again with earth and the rest remain undisturbed."

"Wishing, together with the whole of the Technical Committee, to leave Katyn as soon as possible in view of the approaching personal danger from the Soviet side/offensive/and from the German side/the tension over the number of Katyn bodies/I agreed to accept Lt. Sloventzik's decision being additionally influenced by the following facts."

"1. As I have already said before, contrary to what I had originally supposed namely, that more Polish doctors would come to Katyn, I had been, during the whole period of exhumation work, the only Polish doctor there and in view of the attitude of the German authorities I had lost all hope of the possibility of more Polish doctors coming to work there. But nevertheless, I hoped that if the work of exhumation could be resumed in the Autumn it would be possible for a

larger number of Polish doctors to come, whose collective opinion as to the conditions, circumstances and date of the murder would carry more weight with the Polish nation. Not believing in the possibility of the Germans finding further graves of Polish officers in Katyn forest I wished the possibly more numerous delegation of Polish experts, to be in a position to find untouched material in grave 8 to work upon."

"2. Besides, in view of the developments in the war then taking place both on the Eastern Front as well as in the Weste /the throwing out of the Germans from North Africa/ I took into account the not excluded possibility of the area of the Katyn forest being free from German occupation by the Autumn. Then, I supposed, it might be possible to execute the plan of sending to Katyn an international or an interallied medico-legal commission. I wish to emphasize that when I started out for Katyn I was convinced that the commission of the International Red Cross which had been proposed, would come there and when it did not arrive at Katyn I was deeply disappointed. Thus, the leaving of the greater part of grave Nr 8 untouched would amount to preserving for such an international commission very valuable evidence, untouched by the Germans."

After this conversation and the agreement as to the details of the "interruption" of the exhumation work Lt. Sloventzik undoubtedly sent a report on this plan to the central authorities. These were doubtless well satisfied since the initiative coming from the Polish doctor supplied them with a suitable pretext for not denying their propaganda.

As a result the decision to "interrupt" the work at Katyn was taken with great rapidity. Already the next day after the conversation quoted above, the Executive Committee of the Polish Red Cross was informed about it by the representative of the Ministry of propaganda at the Central Office of the General Government in Warsaw.

"Only on the 3rd of June 1943 did Dr. Grundmann inform us by letter that, on the 5th of June, exhumation work would temporarily cease and that the members of the Committee would be returning to Warsaw between the 4th and 9th June and at the same time he repeated that the sending of new chief was already unnecessary." /From confidential report of the Polish Red Cross/.

On the same day, 3rd of June 1943, four members of the Technical Committee together with the above mentioned doctor were granted permission by the Germans to leave Katyn. The remaining members of the Technical Committee stayed there a few days longer in order to complete the work of fishing out the bodies from the flooded grave Nr 5 and to rebury all the exhumed Katyn victims in the new cemetery of communal graves.

In the last communal grave, Nr. VI, which was began on the 3rd of June 1943, the rest of the exhumed bodies from grave Nr 1 and 2 were reburied together with 10 bodies taken out from grave Nr 8 /list numbers 4075-4048/ and 46 bodies fished out from grave Nr 5 on the 5th of June 1943 /list numbers 4085-4130/. After grave VI had been completed on 7th of June 1943 the remaining members of the Technical Committee left Katyn.

### III. THE NUMBER OF BODIES IN KATYN GRAVES IN THE LIGHT OF THE POLISH REPORTS

The description of the work of exhumation at Katyn given above on the basis of new Polish materials does not present any exceptional revelation as compared with the German material analysed in Facts and Documents /ch.XX/. Both descriptions are in general accordance with one another as can be seen from the reports of the Polish doctor frequently quoted above. Speaking about the report of Prof. Buhtz which was the main basis of the relevant chapter in Facts and Documents he said:

"I must emphasize that I read this report after the publication of the German book on Katyn and I compared it with my notes but I did not notice any discrepancy then."

In these circumstances we can accept the fact that Prof. Buhtz's report spoke the truth and did not contain any falsehoods but nevertheless we cannot assert that the whole truth was given in it. Some doubts as to this arise when we compare this report with the Foreword of Amtliches Material.

This Foreword is not signed from which it follows that it is written by the editor namely Auswartiges Amt and it has a decidedly propagandist character. In it we find the number of Katyn victims as being probably 10.000-12.000. Now, nowhere in Prof. Buhtz's report is this number to be found.

This difference may be expressed in the following way: Prof. Buhtz states that 4.143 bodies were taken out from the Katyn graves. The Foreword conjectures

that there were in the Katyn area 10,000–12,000 bodies and states that up to that time /July 1943/ 4,143 bodies had in fact been exhumed.

This point is of basic importance because it is essentially connected with the history of the three camps given in Facts and Documents. After careful analysis we arrived there at the well founded conclusion based on the depositions of witnesses that the inmates of the three camps were liquidated in an identical manner but in different places. Only the inhabitants of Kozielsk were liquidated at Katyn which held at that time about 4,500 prisoners. The determining of the number of bodies at Katyn as being four thousand and some hundreds is a strong argument in support of this interpretation.

The determination of this number has yet further significance. Namely, if it is proved that the Katyn graves held four thousand and some hundreds of bodies and not 10,000–12,000 the question of the "missing" prisoners from Starobielsk and Ostashkov remains open, *independently of who is responsible for the mass murders at Katyn*. This explains why the Soviet press and radio accepted so readily the figures of 10,000–12,000 given out by the German propaganda and also explains the fact of a correction having been made in the Nuremberg indictment. As is known the relevant item in the Nuremberg indictment presented by the Soviet Prosecutor originally gave the figure of bodies at Katyn as 925 /the number of bodies exhumed by the Soviet Special Commission during the second exhumation of January 1944—see Facts and Documents p. 376/. Only later did the Soviet Prosecutor introduce a correction giving the number of bodies as 11,000; this correction was attached to every copy in the form of a special errata slip.

Thus we must pay special attention to this question and consequently we must examine all the German statements concerning the conclusion and or interruption of the emptying of the graves in June 1943.

We must first establish the date on which the work terminated. The report of Prof. Buhtz gives this date as June 3rd 1943 /Amtliches Material p. 40/ and the final report /Schlussbericht/ of 2/Lt. Voss gives the date as June 7th /Amtliches Material p. 33/. This divergence can be very easily explained. The date given by Prof. Buhtz is the date when the work of emptying grave Nr 8, the last to be discovered, was interrupted which means that it is the date of the interruption of the work done on removing new and as yet uncovered bodies. Independently of this work of reburying the bodies already exhumed in new graves continued as also the work of fishing out the bodies from grave Nr 5 which was flooded with water. All this work was finished on the 7th of June and hence this date is found in 2/Lt. Voss' report. So these two dates though divergent can easily be made to accord.

On the other hand the date given in the Foreword to the Amtliches Material /p. 10/ cannot be made to fit in with the dates given above. It is given generally as being "July" and the corresponding phrase runs: ". . . bis im Juli die Sommerhitze eine Unterbrechung des Ausgrabungsarbeiten notwendig machte." Now we have already emphasized that the Foreword, being the work of the editor of the book, has a definitely propagandist character. Thus in analysing the above quoted phrase we cannot help but be persuaded that the date "Juli" was put in in order to make the reason given for the interruption of the work namely "Sommerhitze" appear more plausible and the whole presentation of the case more convincing. This conviction is supported by two facts namely:

- 1/ No reasons are given for this date,
- 2/ Its divergence from both dates given in the reports of Prof. Buhtz and 2/Lt. Voss.

We can therefore accept without hesitation the date of the suspension of the work at Katyn as being 7th of June 1943.

Further we must ask ourselves in what sense we can speak about the exhumation-work in Katyn being either interrupted or concluded. For the complete elucidation of this problem we must consider separately the following questions:

- 1/ the question of the first seven Polish graves,
- 2/ the question of grave Nr 8,
- 3/ the question of possible further graves.

Ad 1/. Dealing with this point in Facts and Documents /p. 322–327/ we showed that the expression "interruption of work" could not be used about the first seven graves because all of them were, by the first days of June 1943 completely emptied. We based this assertion not only on an article published in the Gonic Krakowski /Cracow Messenger/ which spoke of the emptying and refilling of the two largest graves, and on German photographs which showed the bottoms of the graves practically emptied, but principally on reasoning. Basing our calculation on the

dimensions of the graves given by the Germans we worked out the maximum capacity of the graves by two methods. /Facts and Documents p. 322-327/. Since this time these calculations and therefore the thesis concerning the complete emptying of the seven graves has been confirmed by further evidence.

The official report of the Technical Committee on its work in Katyn states explicitly:

"During the work of the Technical Committee of the Polish Red Cross in Katyn forest which began on 15th of April 1943 in all 4,243 bodies were exhumed of which 4,233 were removed from the 7 seven graves which were situated close to one another and uncovered in March 1943 by German military authorities. From these 7 graves all the bodies were removed. The very careful sounding over the whole territory made by the Germans who were anxious that the figures 10-12 thousands bodies given out by their propaganda should not prove to be remote from the truth allows us to presume that no more graves will be discovered. The number of bodies in the eighth grave judging by its calculated dimensions should not be more than a few hundred."

Thus, as far as 7 graves are concerned, we can conclude with complete certainty that the phrase the "interruption of work" is not applicable because the work on the 7 graves was finished by the 7th of June when all the bodies had been taken out and reburied in new graves.

Ad 2/. The problem of the eighth grave is different. This was refilled on the 3rd June after 10 bodies had been taken out. Test digging and sounding was done in order to establish its measurements and capacity which were calculated by the Polish doctor there as being of a maximum of 200 bodies. This calculation provoked strong opposition from Lt. Sloventzik /see the foregoing chapter p. 49/. Thus the assertion that the work was *interrupted* is, with regard to this grave correct. But the Polish doctor's calculation of the total capacity of the grave being 200 bodies should be borne in mind. Since this fact was omitted by the German authorities from their communique or the interruption of work at Katyn or rather we should say, since it was done deliberately that it was concealed.

Ad 3/. The expression "interruption" of work at Katyn could be used in connection not only with the eight graves but also perhaps with further possible graves for which the Germans were searching. In this case it would indicate the interruption of the search for new graves. But here the reason given for the interruption namely, the heat of the Summer and the plague of flies, is without sense. Even if the Summer heat and the plague of flies made the work of exhumation impossible it could not have interfered with the search for more graves which only involved sounding the ground with metal sticks and making test diggings. As we read in the report quoted above the Germans took very careful soundings over the whole forest area but without results. Moreover from the point of view of our theory, that only the inmates of Kozielsk were liquidated at Katyn, this search was doomed to failure beforehand, as the number of bodies in fact removed from the graves together with the probable number of bodies in grave Nr. 8 exactly equalled the number of men taken from Kozielsk. However, the local German authorities obstinately stuck to the number given in the German propaganda although the reasoning of the Polish medical expert /see above p. 49/ should have put them on the right track. The searches were interrupted only when all hope of finding further graves was lost and when at the same time the interruption of work on grave Nr. 8 which could be accounted for by the heat would provide a suitable pretext. Thus we can state that the work of searching for further graves was not interrupted but *given up* and that, not because of "the Summer heat and the plague of flies" but because it gave no further results.

In sum our reasoning is:

1/ With regard to 7 graves, the work on them was not interrupted but finished because all the bodies had been removed and reburied in new graves.

2/ With regard to the search for new graves, this work was not interrupted but given up because it gave no results.

3/ With regard to grave Nr 8 the work was in fact interrupted, but deliberately, because its dimensions obviously dashed the hopes of the German propagandists.

The Germans were thus able by issuing a deliberately inaccurate communique to bolster up their propaganda.

We ourselves, in view of the foregoing considerations, have no doubt that the number of bodies at Katyn was four thousand and some hundreds since it was exactly the number of men taken from Kozielsk. Therefore the discoveries at Katyn offer no solution to the problem of Starobielsk and Ostashkov.

Having now solved the problem of the number of bodies at Katyn in a general way /four thousand and some hundreds and not 10,000-12,000/ we must try to

determine as far as possible the exact number of bodies there with the aid of our new material. This material consists of both a detailed description of the new cemetery and the protocols signed by the member of the Technical Committee giving the exact number and the order of bodies placed in every new grave. By means of these documents we can fix precisely the number of bodies exhumed at Katyn. They show that the number 4.143 given in Amtliches Material and consequently quoted in Facts and Documents was not exact. It did not include the bodies exhumed by the Germans during the first period of exhumation before the arrival at Katyn of the representatives of the Polish Red Cross and not placed on the official list of Katyn victims.

The report of the Technical Committee says that from the number 17 4.243 bodies which were exhumed and subsequently reburied in the new communal graves, 4.233 were taken from graves 1-7.

The protocols mentioned above on the contents of the new communal graves give their numbers as follows:

Grave Nr I .....	310
Individual graves of generals .....	2
Grave Nr II .....	980
Grave Nr III .....	700
Grave Nr IV .....	1220
Grave Nr V .....	700
Grave Nr VI .....	331
Total .....	4243

The difference between this number and the number given in Amtliches Material and consequently in our Facts and Documents, namely 4143, is very small /2,35% of the total number of bodies/ and cannot affect the thesis that only the prisoners from Kozielsk are laying in the Katyn graves. However this divergence does call for an explanation.

The difference is exactly a hundred and its general explanation is quite simple. The list of the order of burial attached to the report of the Technical Committee of the Polish Red Cross states that in the new Nr I grave 310 bodies were reburied of which "112 had no list numbers." These were the first bodies lifted out by the Germans before the arrival of the Technical Committee when the work on the Katyn graves had not yet been systematically organised. As a result the official German numbering was began later and omitted the first 112 bodies. In this case however the official German total should be 112 a not 100 less than the total of the Technical Committee, that is, it should come to 4.131 and not 4.143. Now this number is in fact to be found in Amtliches Material, as the list of bodies printed there at the end contains 4.131 places. The last but one place on it has the number 4.130 and the following and last, the number 4.143. So the total given in Amtliches Material calculated, as it should be, by the number of places equals 4.131 which gives a difference of 112 between the German total and the total of the Technical Committee's report, which is correct. The divergence is thus satisfactorily explained.

The question however, arises as to why the last number was made 4.143 instead of 4.131. Is it just a mistake or has it some significance? On this point we can only make our suppositions but there is a strong probability that these are correct.

We have already mentioned that on June the first ten bodies were taken out of grave Nr 8 which were subsequently reburied in the New Nr VI grave. These were obviously not the only bodies to be taken from grave Nr 8 because we find in Prof. Buhtz's report the following phrase: "Die zuletzt aus dem Grab 8 zur Untersuchung entnommenen 13 Leichen polnischer Militärpersonen wurden nach Überprüfung, Sektion und Sicherstellung des notwendigen Beweismaterials vorläufig wieder im ursprünglichen Grab beigesetzt." /Amtliches Material p. 42/.

It is not known when this "final" exhumation was made but we presume that it occurred after the departure of the Technical Committee who do not mentioned it. The Polish medical expert of the Technical Committee said in his deposition made in London: "During my stay in Katyn I did not see Prof. Buhtz examining bodies from Nr 8, it was done however by other German doctors in particular by Dr. Müller. I do not know if Prof. Buhtz came to Katyn forest after my departure from there or whether and what bodies he examined." If, however, we accept Prof. Buhtz's assertion as true then our last difficulty is hypothetically removed. We may assume that having stated the existence of a further 13 bodies in grave Nr. 8, the German clerks wished to increase the total of bodies by this number by altering the number of the last place which was 4.131. Having how-

ever erased this figure they made a mistake at the last moment and added the figure "13" not to the last erased figure but to the last figure still remaining which was 4.130, thus obtaining the figure 4.143. This hypothetical solution of the problem has however no essential significance.

#### IV. INFORMATION ON THE KATYN EXECUTIONS OBTAINED FROM A LOCAL INHABITANT

The Russian witness quoted in previous chapters and now living in the West spoke not only of the circumstances of the discovery of the Katyn graves but also about the bringing of the Polish officers to Gnezdovo and subsequently to Katyn Forest. Here are excerpts from his depositions.

"At the beginning of March 1940 there were rumours that the NKVD would construct some buildings in the woods at Kose Gory, as pits for the foundations were being dug out. These pits were dug out by civilian prisoners who were being brought in 3 or 4 lorries under NKVD guard from the prison in Smolensk. I myself saw how these prisoners were being brought. The work was begun at the beginning of March. I supposed that the prisoners came from Smolensk as the lorries came from that direction. When the work was finished convoys of officers began to arrive Gnezdovo station. I remember that these convoys started to arrive when the peace with Finland was concluded and so people began to say that the NKVD was bringing Finnish officers. But already on the second day some of the local inhabitants recognised Polish uniforms so that was known that they were convoys of Polish officer POW's."

These convoys were brought by special trains made up of an engine and 3-4 "Stolypinka".\* Sometimes these were smaller two-axle trucks and sometimes bigger ones with four axles. The whole train was put into a siding near the store house where there was a small square. There a "Tshorni Voron" \*\* was placed with its back to the truck and the officers were loaded into it. There were two "Tshorni Voron" as well as a lorry on which the baggage of the Polish officers was being loaded and a car. By the car went the commanding officer, an NKVD officer. I did not see the badges very distinctly but I think he had one "diamond" \*\*\*. After the officers were loaded into the "Tshorni Voron" the whole convoy of four cars went off in the direction of Kose Gory and then kept coming back for the other remaining groups.

The inhabitants of the nearby villages said that these officers were being brought by the NKVD to Kose Gory to be shot there. It is true that nobody saw the executions but it was known that there was no camp in Kose Gory forest and besides that, this place had been known as a place of execution for several years.

The guard was composed of NKVD men from Smolensk and I personally knew one of the drivers of the "Tshorni Voron". His name was Yakiv Rozuvayev nicknamed Kim. Besides it was known that the driver Pietka whose name I do not remember and who drove the lorry on which the luggage of the officers was taken to the forest of Kose Gory and who was fired by the NKVD and worked in Soiuz Trans in Smolensk, used to say, even before the Germans came, that the NKVD had shot these officers.

One of my relatives told me that, when the railway carriages with the officers in were being brought to the siding, he saw an acquaintance of his, an NKVD man, acting as a guard. He began a conversation with him and asked if they were bringing these men to a camp and the man replied: "Well where have you here any camps? Why do you talk such nonsense? Don't you know where such people are being taken to?"

"After the war of 1939 there were no camps of Polish POW's either at Gnezdovo and the Katyn region or further to the West. Also no road work was done in this area other than the normal repairing by the local road repairers."

\* Stolypinka—Russian prison truck.

\*\* Tshorni Voron—"Black Crow" Russian prison car /Black Maria/.

\*\*\* Diamond—Before the reintroduction in the Red Army of the old badges of rank similar to the Tsarist ones, one, two, three or four diamonds were used by the officers of general's rank.





4.K15:M38 pt. 7

# THE KATYN FOREST MASSACRE

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## HEARINGS

BEFORE THE

SELECT COMMITTEE TO CONDUCT AN  
INVESTIGATION OF THE FACTS, EVIDENCE,  
AND CIRCUMSTANCES OF THE  
KATYN FOREST MASSACRE

EIGHTY-SECOND CONGRESS

SECOND SESSION

ON

INVESTIGATION OF THE MURDER OF THOUSANDS OF  
POLISH OFFICERS IN THE KATYN FOREST  
NEAR SMOLENSK, RUSSIA

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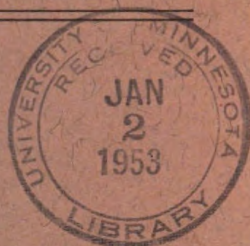
### PART 7

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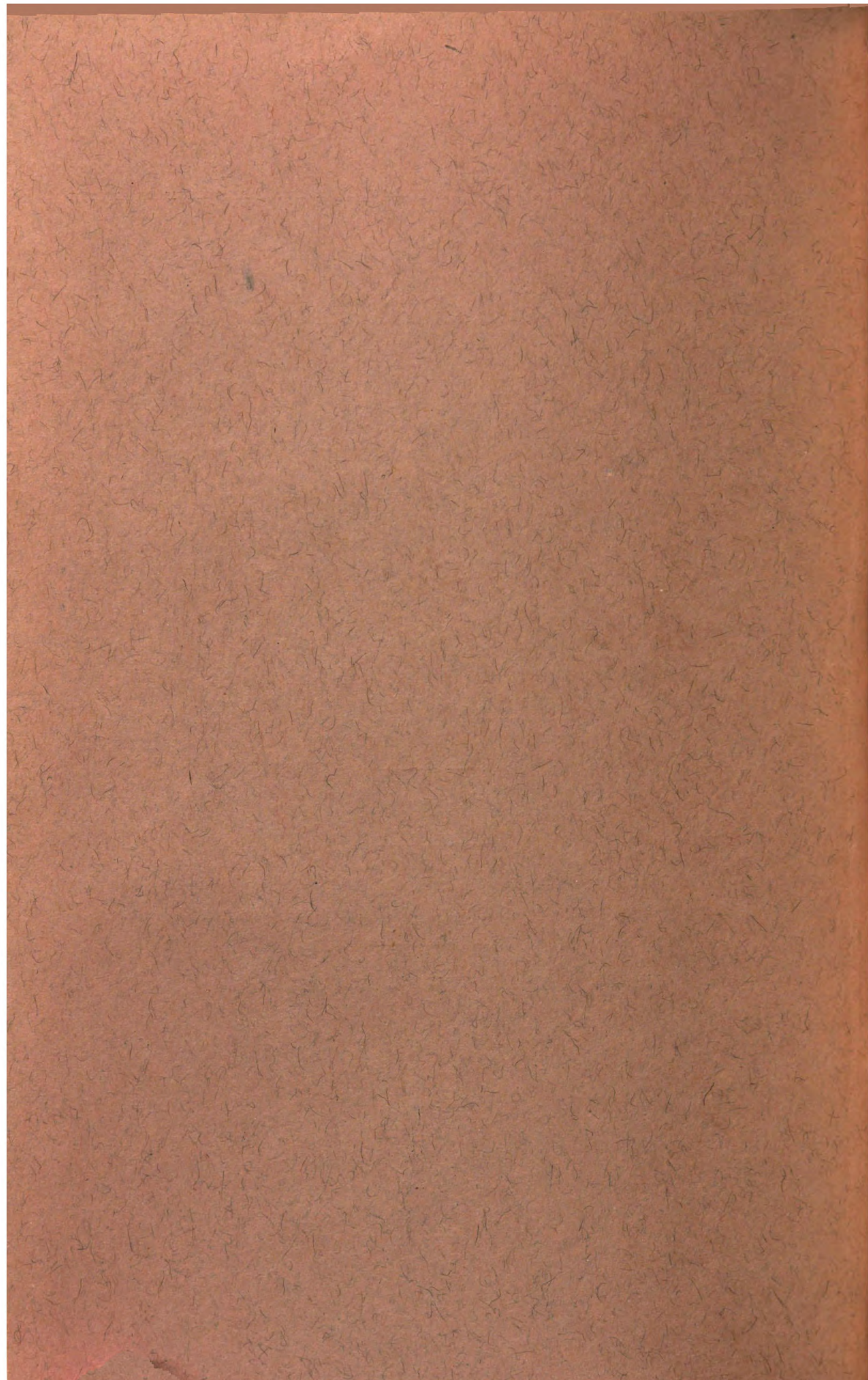
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of the Facts, Evidence, and Circumstances of the Katyn Forest Massacre

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JUNE 3, 4, AND NOVEMBER 11, 12, 13, 14, 1952







# THE KATYN FOREST MASSACRE

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BEFORE THE

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JUNE 3, 4, AND NOVEMBER 11, 12, 13, 14, 1952



UNITED STATES  
GOVERNMENT PRINTING OFFICE  
WASHINGTON : 1952

**SELECT COMMITTEE TO CONDUCT AN INVESTIGATION OF THE FACTS,  
EVIDENCE, AND CIRCUMSTANCES OF THE KATYN FOREST  
MASSACRE**

**RAY J. MADDEN, Indiana, *Chairman***

**DANIEL J. FLOOD, Pennsylvania**

**GEORGE A. DONDERO, Michigan**

**FOSTER FURCOLO, Massachusetts**

**ALVIN E. O'KONSKI, Wisconsin**

**THADDEUS M. MACHROWICZ, Michigan**

**TIMOTHY P. SHEEHAN, Illinois**

**JOHN J. MITCHELL, *Chief Counsel***

**ROMAN C. PUCINSKI, *Chief Investigator***

# CONTENTS

Statement of—	Page
Bissell, Gen. Clayton.....	1839, 1864, 2298
Brown, Ben H., Jr.....	2056, 2218
Carter, John F.....	2246
Cranston, Alan.....	2174, 2272
Davis, Elmer.....	1979
Earle, George Howard.....	2196
Epstein, Julius.....	2266
Harriman, W. A.....	2103
Holmes, Julius C.....	2226
Hopkins, James F.....	2008
Jackson, Justice Robert H.....	1945
Kreutz, Jan Marion.....	2012
Lane, Arthur Bliss.....	2216, 2219
Lang, Joseph.....	2002, 2019
Lantaff, Hon. William C.....	1827
Lyon, Frederick B.....	2241
Meeres, Mildred.....	1833
Melby, John F.....	2149
Mikolajczyk, Stanislaw.....	2155
Mortimer, Kathleen H.....	2132
Olshansky, Boris.....	1939
Phillips, Joseph B.....	2255
Richards, Robert K.....	2035
Shea, Mrs. Hilda.....	2022
Simon, Arthur.....	2007, 2019
Soron, Casimer.....	2020
Standley, Admiral William H.....	2042, 2060
Welles, Hon. Sumner.....	2075
Yeaton, Col. Ivan.....	1916, 2293

## EXHIBITS

1. Letter to Mr. Madden from Gen. J. Lawton Collins.....	1826
2. Memorandum to the Secretary of Defense from Maj. Gen. Clayton Bissell.....	1839
3. Memorandum from General Bissell (Roger Kent, general counsel for Charles A. Coolidge).....	1840
4. Letter from General Bissell to Julius C. Holmes, Assistant Secretary of State.....	1867
5. Letter from Julius C. Holmes to General Bissell.....	1894
6. Statement by Mr. Justice Robert H. Jackson to the congressional committee.....	1971
7. Letter to Mr. Justice Jackson from Polish Government in Exile in London.....	1976
8. Mr. Elmer Davis' radio broadcast of May 3, 1943.....	1987
8A. State Department memorandum, with stamp mark, showing it had been delivered to Mr. Berle on April 22, 1943.....	1988
9. Telegram from Ambassador Standley to Department of State.....	2045
10. Portion of message from Secretary of State Hull to American Ambassador at Kuibyshev of August 19, 1942.....	2046
11. Portion of message from Secretary of State to American Ambassador dated September 5, 1942.....	2048
12. Portion of message from American Ambassador to State Department dated September 10, 1942.....	2052
13. Report from American Ambassador at Moscow regarding Willkie's conversation with Stalin concerning the Polish situation.....	2054

## IV

## CONTENTS

14. Letter and one enclosure forwarded to State Department by American Ambassador to Moscow on February 17, 1942, detailing search for Polish officers.....	Page 2057
15. Telegram from Moscow dated April 26, 1943.....	2062
16. Stalin's personal letter to President F. D. Roosevelt.....	2063
17. Message from President Roosevelt to Stalin dated April 26, 1943.....	2064
18. Telegram from Ambassador in Moscow to Department of State.....	2066
19. Telegram from Ambassador in Moscow to Department of State.....	2068
20. Letter from Under Secretary Sumner Welles to President Roosevelt.....	2076
21. Letter to General Watson from Under Secretary Welles.....	2082
22. Report and evidence compiled by Poles regarding discovery at Katyn forwarded to Under Secretary Sumner Welles by Ambassador Biddle on May 20, 1943.....	2092
23. Message from Mr. Harriman to Stalin dated November 7, 1941.....	2112
23A. Mr. Harriman's dispatch to Washington.....	2112
23B. Stalin's reply to Mr. Harriman.....	2113
23C. Stalin's second reply to Mr. Harriman.....	2113
23D. Polish Embassy letter to Ambassador Harriman.....	2113
24. Telegram to United States Embassy in Moscow dated January 25, 1944.....	2124
25. Ambassador Harriman's letter forwarding reports on their visits to Katyn by Mr. Harriman's daughter and an Embassy attaché in January 1944.....	2132
26. Ambassador Earle's letter to President Roosevelt dated June 11, 1944.....	2199
26A. Mr. Roosevelt's reply.....	2200
27. Mr. Roosevelt's letter to Ambassador Earle.....	2202
28. President Truman's letter to Ambassador Earle.....	2210
29. Ambassador Lane's letter to Mr. Justice Jackson at Nuremberg dated December 16, 1945.....	2218
30. Ambassador Lane's letter to State Department official.....	2220
31. General Holmes' letter of June 9, 1945, to General Bissell.....	2228
32. Colonel Van Vliet's statement regarding his treatment at Katyn by the Nazis.....	2230
32A. Memorandum from Mr. Carter regarding the Katyn Massacre prepared on May 31, 1944.....	2252
33. Letter to Mr. Stone from Mr. Epstein.....	2267
34. Letter to Mr. Epstein from Charles W. Thayer, Chief, International Broadcasting Division.....	2267
35. Letter from Epstein to Mr. Allen.....	2268
36. Letter from Mr. Kohler to Mr. Epstein.....	2269
37. (Appendix) Excerpt of House Un-American Activities Committee hearing.....	2371
38. (Appendix) Teheran-Yalta-Potsdam agreements.....	23 9
39. Major General Bissell's diary certificate.....	23 2
40. Major General Bissell's commendations.....	2315
41. Message sent to Department of State by Ambassador Harriman (see Mr. Harriman's testimony).....	2350
42. Dispatches describing Polish-Soviet relations.....	2357



## THE KATYN FOREST MASSACRE

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TUESDAY, JUNE 3, 1952

HOUSE OF REPRESENTATIVES,  
THE SELECT COMMITTEE ON THE KATYN FOREST MASSACRE,  
*Washington, D. C.*

The select committee met at 10 a. m., pursuant to call, in room 336, House Office Building, Hon. Ray J. Madden (chairman) presiding.

Present: Messrs. Madden, Flood, Furcolo, Machrowicz, Dondero, O'Konski, and Sheehan.

Also present: John J. Mitchell, chief counsel to the select committee. Chairman MADDEN. The select committee will come to order.

I might say for the record that this meeting of the Select Committee on the Katyn Forest Massacre is the sixth in a series of hearings which the committee has held. The committee returned a few weeks ago from hearings in England, where it heard the testimony of 32 witnesses, and also from Germany, where it heard the testimony of 28 witnesses.

As far as the testimony is concerned, the proceedings of the committee to determine the responsibility as to who committed the Katyn massacre are practically concluded. The testimony today will lead up to the committee's desire to try and determine what happened to certain reports that were submitted to the Government departments regarding the Katyn massacre.

The record may also show that all members of the committee are present.

Counsel may now proceed. Have you a statement that you wish to make?

Mr. MITCHELL. Yes, sir.

You will recall that sometime ago you requested the Army Department Counselor, Mr. Francis Shackelford, to obtain a statement from General of the Army J. Lawton Collins, the Chief of Staff, relative to his interview with Col. John H. Van Vliet, Jr. Yesterday afternoon, at approximately 5:15 p. m., I received that statement, which is addressed to you, and I herewith hand it to you.

Chairman MADDEN. This is a letter dated June 2, 1952, addressed to the chairman of this committee and signed by J. Lawton Collins, Chief of Staff of the United States Army.

Will the counsel please read the letter for the record?

Mr. MITCHELL. The letter is headed "United States Army, the Chief of Staff." The letter is dated June 2, 1952. [Reading:]

DEAR MR. MADDEN: Referring to your conversation with Mr. F. Shackelford, Department Counselor, Department of the Army, I am submitting herewith my recollection of the facts concerning Lt. Col. John H. Van Vliet's passing visit to my headquarters early in May 1945. At that time I was the commanding general of the Seventh Corps, with headquarters at Leipzig, Germany. My corps was still in action and in contact with the enemy along the Elbe River.



Colonel Van Vliet had been released or had escaped from a German prison camp and happened to reach our lines on the front of one of my divisions. I had known him when he was a boy at Fort Benning. When he heard that I was in command of the Seventh Corps, he asked to see me.

Colonel Van Vliet showed me his pictures of Katyn and told me in a broad way the conclusions he had come to as a result of his visit to the graves of Polish officers at Katyn. As I recall it, he told me he was anxious to get home and report to the War Department. I suggested that he proceed at once to Headquarters, First Army, so that he could make appropriate reports. Accordingly, I made the necessary arrangements to send Colonel Van Vliet back to First Army Headquarters, which was then at Weimar, Germany.

Colonel Van Vliet at no time made any written or formal statement to me, and I have no personal knowledge of any report he made in Washington.

Sincerely yours,

J. LAWTON COLLINS.

The letter is addressed "Hon. Ray J. Madden, House of Representatives."

Chairman MADDEN. Hand it to the reporter and have it marked "Exhibit 1."

(The document referred to above was marked "Exhibit 1" and made a part of the record. Exhibit 1 is as follows:)

#### EXHIBIT 1

UNITED STATES ARMY,  
THE CHIEF OF STAFF,  
June 2, 1952.

Hon. RAY J. MADDEN,  
*House of Representatives.*

DEAR MR. MADDEN: Referring to your conversation with Mr. F. Shackelford, Department Counselor, Department of the Army, I am submitting herewith my recollection of the facts concerning Lt. Col. John H. Van Vliet's passing visit to my headquarters early in May 1945. At that time I was the commanding general of the Seventh Corps, with headquarters at Leipzig, Germany. My corps was still in action and in contact with the enemy along the Elbe River.

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Colonel Van Vliet at no time made any written or formal statement to me, and I have no personal knowledge of any report he made in Washington.

Sincerely yours,

J. LAWTON COLLINS.

Mr. MITCHELL. Mr. Chairman, the first witness this morning is Hon. William C. Lantaff, a Representative in Congress from the Fourth District of Florida.

Chairman MADDEN. Congressman, do you solemnly swear the testimony you will give here in the hearing now being conducted will be the truth, the whole truth, and nothing but the truth, so help you God?

Congressman LANTAFF. I do.

**STATEMENT OF HON. WILLIAM C. LANTAFF, A REPRESENTATIVE  
IN CONGRESS FROM THE STATE OF FLORIDA**

Mr. MITCHELL. Congressman, will you state your full name for the record, please?

Congressman LANTAFF. William C. Lantaff.

Mr. MITCHELL. And your present address?

Congressman LANTAFF. House Office Building, Washington, D. C.

Mr. MITCHELL. Will you tell the committee what your official position was in the Office of the Assistant Chief of Staff, G-2, during the years 1944 and 1945, to the best of your knowledge?

Congressman LANTAFF. I was assigned as Chief of the G-2 Secretariat in the Office of the Assistant Chief of Staff, G-2, War Department, General Staff. I was on duty as Chief of the Secretariat in May of 1945.

My duties there in that office were essentially administrative in nature, to administer the administrative Office of the Assistant Chief of Staff, G-2, and to comply with certain other missions which had been assigned to me in that office. As such, I was on duty when Colonel Van Vliet reported to the office of the Assistant Chief of Staff, G-2, in May of 1945.

Of course, it is rather difficult at this time, some 7 years later, to recall everything that transpired; but, as I recall it, and to the best of my recollection, Colonel Van Vliet wanted to report to General Bissell, and upon inquiry as to the nature of his visit and why he wanted to see General Bissell—

Mr. MITCHELL. Congressman Lantaff, may I interrupt you for a moment?

Congressman LANTAFF. Yes.

Mr. MITCHELL. Mr. Chairman, in part 2 of the hearings held in Washington, D. C. on February 4, 5, 6, and 7, I refer you to page 48.

Mr. Lantaff, I would like to read something here for the record now. Mr. Flood is asking the question. [Reading:]

Mr. FLOOD. Were you directed by anybody overseas to report to the office of G-2 or did you from your Army experience decide that was where you should report?

Colonel VAN VLIET. That is where I decided to go. I went to the Office of G-2 and told enough of my story to convince—

Mr. O'KONSKI. To whom?

Colonel VAN VLIET. Sir, I don't remember. It was in one of the outer offices of G-2. I don't know whom I spoke to. It was one or two down from the G-2.

Mr. O'KONSKI. What was his rank, a colonel?

Colonel VAN VLIET. I believe it was a lieutenant colonel, sir; but I am unable to say who or what. They said I should see General Bissell—

Mr. O'KONSKI. You mean to tell me when you came in there he did not introduce himself to you or tell who he was? He did not tell you what his position was, nor did you inquire?

Colonel VAN VLIET. His position was known to me at the time, sir; but that has been 7 years ago, and it wasn't at the time important to me to remember whom I talked to in that office. I am sorry I don't remember.

Mr. O'KONSKI. Isn't it customary in military—

Congressman, I would like to ask you at this time: Were you that lieutenant colonel?

Congressman LANTAFF. I believe I was; yes.

Mr. MITCHELL. Could you proceed with your statement from there, please?

Congressman LANTAFF. As well as I recall it, Colonel Van Vliet told me enough of the incident that he had observed while a prisoner of war that I determined that he should see General Bissell and, accordingly, took him in to see General Bissell. I don't recall whether General Bissell was in the office at that time; but, as well as I recall it, it was the same day that he reported that I took him in there.

After some time—exactly how long I don't recall—General Bissell told me to arrange for a stenographer to take down the testimony of Colonel Van Vliet and to arrange for quarters for him to do it in. Accordingly, I arranged for stenographic assistance and for a space for him to dictate his statement about the Katyn Massacre.

After that was completed, the report was taken by the secretary to General Bissell.

As I recall, Colonel Van Vliet and General Bissell had a further conference on that report, and that is about all I remember about the incident about which Colonel Van Vliet has testified.

Mr. MITCHELL. Do you recall the name of the stenographer?

Congressman LANTAFF. I do now. It was Mrs. Meeres.

Mr. MITCHELL. Do you recall if Colonel Van Vliet showed you any photographs that he had of Katyn?

Congressman LANTAFF. I recall seeing one or two photographs, to the best of my memory.

Mr. MITCHELL. Do you know if they were attached to his report or not?

Congressman LANTAFF. I do not recall for a certainty, but I believe they were.

Mr. MITCHELL. Did you personally see such a report and read it?

Congressman LANTAFF. I personally saw the report.

Mr. MITCHELL. Did you read it?

Congressman LANTAFF. As well as I recall, I read the report or I had seen it, because I think the notes were returned to me for safe-keeping prior to the time Colonel Van Vliet had planned such a report.

Mr. MITCHELL. Then there was such a report?

Congressman LANTAFF. I recall the report.

Mr. MITCHELL. At the time that the secretary returned the report, did she return it to you or did she return it to Colonel Van Vliet and you and General Bissell? Do you recall the details?

Congressman LANTAFF. I don't recall specifically. To the best of my recollection, when the report was finished, Colonel Van Vliet reviewed it. Whether he did it in my office or the office that I had made available for him, I don't recall; but, to the best of my memory, after the report was transcribed, he took it in to General Bissell.

Mr. MITCHELL. He personally delivered it to General Bissell?

Congressman LANTAFF. As well as I recall. I think that he was to review the report and, as I recall, sign it.

Mr. MITCHELL. Do you recall who was in the immediate office of General Bissell at that time?

Congressman LANTAFF. I know who was assigned in the immediate office.

Mr. MITCHELL. Will you give the committee the names of those individuals.

Congressman LANTAFF. Yes. There was a Lt. Col. Jack Earman.

Mr. MITCHELL. How do you spell it?

Congressman LANTAFF. E-a-r-m-a-n.

There was General Bissell's secretary, Mrs. Doris Jepson. There was a warrant officer, Carulli. Then there were several other personnel assigned to the office but who were not in the immediate office next to the general, and the other personnel would have no knowledge of this incident.

Mr. MITCHELL. Do you recall if General Bissell had a safe in his office?

Congressman LANTAFF. Yes. There was a safe just outside of General Bissell's office, alongside of Mrs. Jepson's desk. Then, of course, there were numerous combination file cabinets, with combination locks.

Mr. MITCHELL. Then Mrs. Jepson was not located in the office with General Bissell, nor was the safe?

Congressman LANTAFF. No.

I say "safe." I don't recall. I think it was one of these combination lock safes, three combination safes, which were prescribed for the storage of "Top secret" papers.

Mr. MITCHELL. Was this document or report of Colonel Van Vliet's labeled "Top secret," to your knowledge?

Congressman LANTAFF. As well as I recall it, it was. I could not swear to that, though.

Mr. MITCHELL. Is there any other individual who was connected with the Office of the Assistant Chief of Staff, G-2, at that time, from whom a statement should be taken by this committee?

Congressman LANTAFF. I think those are the only people in the office who would have had any knowledge of this incident.

Mr. MITCHELL. To your personal knowledge, do you know if anybody had access to this safe or combination safe which was the property of General Bissell, other than his secretary and himself?

Congressman LANTAFF. Everyone in the immediate office did.

Mr. MITCHELL. The individuals you have named?

Congressman LANTAFF. That is correct.

Mr. MITCHELL. Earman, Jepson and Carulli?

Congressman LANTAFF. That is correct, and myself.

Mr. MITCHELL. Did you see this report at any time after Colonel Van Vliet had signed it?

Congressman LANTAFF. I don't recall that.

Mr. MITCHELL. Was it customary for General Bissell's office to keep a log of all documents that were sent out of that office?

Congressman LANTAFF. All documents that came in through the mailroom or cable section, which were retained in the office, were signed for by either Colonel Earman or myself, including Joint Chiefs of Staff papers and Combined Chiefs of Staff papers. All those papers were logged in and recorded; and, of course, if they left the office, were logged out?

Mr. MITCHELL. Who did the logging out?

Congressman LANTAFF. That was done by various personnel assigned to the office under a captain.

Mr. MITCHELL. Do you recall the captain's name?

Congressman LANTAFF. I don't recall his name.

Mr. MITCHELL. Do you recall ever having logged out the Van Vliet report to any other division of G-2 or to any other governmental agency or department?

Congressman LANTAFF. No. It was not logged in because, actually, the report originated in the office of Assistant Chief of Staff, G-2, and I don't recall ever having logged it out.

Mr. MITCHELL. But the report, even though it originated in General Bissell's office, if it had left the office, the standard procedure was for it to be logged out?

Congressman LANTAFF. Not necessarily; no. General Bissell could have originated a "Top secret" paper and could have taken that paper to another office or to an authorized recipient, and have left that paper with that particular individual.

Mr. MITCHELL. Do you recall whether there was one copy, or just the original, or several copies of this Van Vliet report?

Congressman LANTAFF. I only recall an original.

Mr. MITCHELL. That is all, Mr. Chairman.

Chairman MADDEN. Did I understand you to say that this original report was placed in this safe in Bissell's office?

Congressman LANTAFF. As well as I recall it. I don't recall having seen this particular report after Colonel Van Vliet reported in to General Bissell with the report to review it with him and to sign it. But it could very well have been placed in that particular safe.

Chairman MADDEN. Did the other employees in the office, including those that you named in your testimony, have access to the safe where the secret files were kept?

Congressman LANTAFF. Those four people had access to all documents in the office of the Assistant Chief of Staff, G-2, because it was our function, of course, to work there whenever General Bissell was there; and General Bissell would be there from early in the morning until late at night. Many times there would be only one of us there in the office with him. So, the people that were assigned to his immediate office had the combinations of all the safes.

Chairman MADDEN. Are there any questions?

Mr. DONDERO. Can you fix the time, Congressman, when Van Vliet came into the office to dictate that report?

Congressman LANTAFF. I think it was in the morning, but that is as well as I remember.

Mr. DONDERO. I mean, the day, the month, and year.

Congressman LANTAFF. No, I cannot.

Mr. DONDERO. Was it in 1945?

Congressman LANTAFF. May of 1945, as well as I recall it.

Mr. SHEEHAN. Congressman, did I understand you correctly to say that you did review Van Vliet's report before he signed it.

Congressman LANTAFF. No. Colonel Van Vliet came into the office and wanted to see General Bissell. Before I would let him see the general I wanted to know what he wanted to see him about.

Mr. SHEEHAN. After he dictated it to Mrs. Meeres, did you see the report?

Congressman LANTAFF. I don't recall. I believe that I did, but I don't remember.

Mr. SHEEHAN. There was something said about his turning over some notes to you.

Congressman LANTAFF. As I recall, I had Mrs. Meeres bring back her stenographic notes and the portion she transcribed, to me, to put in the G-2 safe that night.

Mr. SHEEHAN. But were they put in separate from the original report, or were they put in with the general's report?

Congressman LANTAFF. That was before the original report was completed. It is a security measure. I had Mrs. Meeres bring them back and kept them under our control.

Mr. SHEEHAN. Congressman, I have another thought. You mentioned before they had a system of logging out reports in the office, and you said it could be possible for General Bissell to take the top-secret report out of the office, to your knowledge, over to some other department or some other Government agency.

Congressman LANTAFF. It would be very possible. I did not say other Government agencies.

Mr. SHEEHAN. Or some other department of the Army, say. Well, let us say that he could take it out of the office, as you understood.

Congressman LANTAFF. Yes.

Mr. SHEEHAN. Was there anything in the Army regulations that required him to get a receipt under such a procedure, or could he just take it out under his own free will?

Congressman LANTAFF. Under the ARCs, the file receipts were, of course, to be taken for top-secret documents.

Mr. SHEEHAN. That is what I mean. In other words, if General Bissell had taken out the report and turned it over to someone else, he should have a receipt, under Army regulations?

Congressman LANTAFF. I think you will find considerable dispute about that even today in the Department of the Army, as to what is required with reference to the handling of top-secret documents.

Mr. O'KONSKI. Congressman, when this report came into your division and General Bissell's, there was pretty good evidence that here was a case that involved the murder of almost 15,000 Allied soldiers. Could you give us any hint as to what discussion or what impression that created? Was there any discussion about that ghastly crime after the report was made, or was it just passed off as another report?

Congressman LANTAFF. I don't know. If there would have been such, it was beyond the scope of my duties in that office to evaluate it or to discuss it.

Mr. O'KONSKI. I understand.

Mr. MITCHELL. Congressman, you were not in any way connected with the evaluation of intelligence reports or responsible for the evaluation of intelligence reports in that assignment that you had, were you?

Congressman LANTAFF. No. I would say that my assignment there was comparable to that of an administrative assistant in one of our offices.

Mr. MITCHELL. Congressman, were you there during the entire period of General Bissell's regime as Assistant Chief of Staff for G-2?

Congressman LANTAFF. No, I was not. I was ordered to duty there after he had been designated as ACofS, G-2, and I was discharged from the service prior to the time that he was succeeded.

Mr. MITCHELL. In other words, you left before he was relieved of the responsibility of the G-2 assignment?

Congressman LANTAFF. That is correct.

Mr. MITCHELL. Thank you, sir. I have no further questions.

Chairman MADDEN. Mr. Furcolo.

Mr. FURCOLO. Where was the report physically, the last time you ever saw it, if you remember who had it and where it was?

Congressman LANTAFF. Congressman Furcolo, it is hard for me to say for a certainty. As I recall—I am trying to remember what happened 7 years ago—the last time I saw the report was when it went in with Colonel Van Vliet to General Bissell's office. If there was some way I could refresh my memory, it could very well have been that that report was in the safe there in General Bissell's office. But I am not certain about it.

Mr. FURCOLO. In your best recollection, have you ever seen the report itself since that time?

Congressman LANTAFF. No. Since May of 1945 I have not seen it.

Mr. FURCOLO. In other words, your best recollection would be that the last time you saw that report physically was in the hands of Colonel Van Vliet walking into the office of General Bissell?

Congressman LANTAFF. As well as I can recall—the reason why I have some reservation is that I know that I saw the report and read the report, and I don't recall whether I did it before he took it in, or afterward.

Mr. FURCOLO. Would it be safe to say that the last time you physically saw that report, it was in the G-2 offices there?

Congressman LANTAFF. That is correct.

Mr. FURCOLO. With reference to the notes, the shorthand notes, where were they the last time that you saw them, if you did see them?

Congressman LANTAFF. I don't recall that. With reference to the notes, Mrs. Meeres can testify better than I can, but I would presume that they were destroyed.

Mr. FURCOLO. And from that time on, your best recollection is that you have not physically seen the report or the notes?

Congressman LANTAFF. No. There were many documents which were in possession of the G-2, which were kept in his personal possession.

Mr. FURCOLO. At any time, did you ever discuss the report with General Bissell in any way, or with any superior of yours there?

Congressman LANTAFF. No.

Mr. FURCOLO. That is all I have.

Chairman MADDEN. Congressman Lantaff, on behalf of the committee, we wish to thank you for coming here this morning to testify.

Congressman LANTAFF. Is that all?

Chairman MADDEN. That is all.

Mrs. Mildred Meeres.

Mrs. Meeres, will you just stand and be sworn, please?

Do you solemnly swear that in the hearing now being held you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. MEERES. Yes, I do.



**TESTIMONY OF MILDRED MEERES, WASHINGTON, D. C., ACCOMPANIED BY F. SHACKELFORD, COUNSELOR, DEPARTMENT OF THE ARMY**

Chairman MADDEN. Just state your name to the reporter.

Mrs. MEERES. Mrs. Mildred Meeres.

Chairman MADDEN. And your address?

Mrs. MEERES. 2012 O Street NW, Washington.

Mr. MITCHELL. Mrs. Meeres, how long were you assigned in G-2 of the Army? When did the period begin, and how long were you connected with G-2 of the Army?

Mrs. MEERES. From 1941 to 1948.

Mr. MITCHELL. Will you tell the committee what your position was in the Army during 1944 and 1945 in the G-2 division?

Mrs. MEERES. I worked for Captured Personnel and Material. I was secretary to Col. J. Edward Johnston, who was Chief of the X section in that division.

Mr. MITCHELL. Could you describe to the committee what the X section's duties were?

Mrs. MEERES. The X section was a secret committee, and I did secretarial work along with the secret work that I did for Colonel Johnston.

Mr. MACHROWICZ. Mr. Chairman, if it was a secret committee, I think she probably should be excused from any further answers to that question.

Mr. MITCHELL. Will you tell the committee what connection you had with the report given by Lt. Col. John H. Van Vliet, Jr., in May 1945?

Mrs. MEERES. Colonel Van Vliet dictated the report to me.

Mr. MITCHELL. Will you describe in detail to the committee how you were selected, where your office was physically located, as connected with General Bissell's office?

Mrs. MEERES. We were about two corridors down the hall from General Bissell's office, and it was Captured Personnel and Material, which has to do with prisoners of war. So General Bissell's office called to have a girl come up to take a statement from a returning prisoner of war, and I was asked to go up and take the statement.

Mr. MITCHELL. Who did you first see when you went to General Bissell's office?

Mrs. MEERES. I saw Colonel Lantaff.

Mr. MITCHELL. What did Colonel Lantaff say to you?

Mrs. MEERES. He briefed me on security and told me I was to take a top-secret report.

Mr. MITCHELL. Will you tell the committee what happened after you were briefed.

Mrs. MEERES. Then he took me into General Bissell's office and introduced me to Colonel Van Vliet, and then Colonel Van Vliet and Colonel Lantaff and I went across the hall, and Colonel Lantaff left us there alone and locked the door and Colonel Van Vliet dictated the statement to me. Then I took the report back to my own office and typed it up. And then—my memory is a little hazy on it—I believe I took the report back, and I believe that both General Bissell and Colonel Van Vliet dictated to me further, in General Bissell's office. But I

specifically remember taking the report and a letter up to General Bissell's office.

But, apparently, I hadn't completed the job, because I remember locking the papers up, or giving them to Colonel Lantaff to lock in his safe at night, and got them again the next morning. So I can't remember exactly whether I finished the report that night, that afternoon, or the next morning.

Mr. MITCHELL. Does the committee desire to ask any questions at this point?

Chairman MADDEN. Mr. Dondero.

Mr. DONDERO. Did you make any copies?

Mrs. MEERES. I have been trying to remember. I don't recall making any copies, and I don't think I did, because I did it in draft and it was top secret, and usually a top secret is only one copy, until its final form.

Chairman MADDEN. Until what?

Mrs. MEERES. Until it is typed in its final form.

Mr. DONDERO. What did you do with your stenographic notes?

Mrs. MEERES. I put them in double envelopes, and all my mistakes and everything, the paper that had to be destroyed, and returned everything to Colonel Lantaff when I was finished with the job, the notes and everything.

Mr. DONDERO. To whom did you hand the report after it was written?

Mrs. MEERES. I think I handed it to Colonel Lantaff, but I am not exactly sure, sir, whether I took it into General Bissell's office, or not.

Mr. DONDERO. Did you see it after that?

Mrs. MEERES. The report?

Mr. DONDERO. Did you see it?

Mrs. MEERES. No; I never saw the report after that.

Mr. DONDERO. You were not present when it was signed?

Mrs. MEERES. I don't remember that.

Mr. MITCHELL. Did you take any other dictation from either Colonel Van Vliet or General Bissell, or Colonel Lantaff?

Mrs. MEERES. From General Bissell, I believe, and Colonel Van Vliet.

Mr. MITCHELL. I show you an exhibit on page 51 of the part 2 hearings of the committee of February 4. There is a letter of the War Department General Staff, Military Intelligence Division, G-2, Washington. Could you identify this letter for the committee, please?

Mrs. MEERES. Yes, sir. I believe I typed that memorandum. It was dictated to me by General Bissell in his office.

Mr. MITCHELL. Mr. Chairman, I would like to point out that this letter is the letter that Colonel Van Vliet specifically requested from General Bissell relative to his keeping silent in connection with the report he had rendered to G-2. The witness this morning has said that General Bissell dictated this letter. And also the part 2 of the hearings held on February 4 will reveal that Colonel Van Vliet himself specifically requested such a letter.

That is to clarify the record.

Chairman MADDEN. On what page of part 2 is that?

Mr. MITCHELL. Page 51.

Mr. FURCOLO. What did the witness say that General Bissell dictated?

Mr. MITCHELL. Mrs. Meeres just stated that General Bissell dictated this letter to her.

Mr. O'KONSKI. Mrs. Meeres, you typed other top-secret reports, did you not?

Mrs. MEERES. Yes, sir.

Mr. O'KONSKI. Was there anything unusual about this particular report? Was there more furore or was there more of a tendency to create an impression on you, as to this particular report, that it must be top secret? Was it handled with a little more flush and flurry than any other top-secret report that was made?

Mrs. MEERES. Yes, sir.

Mr. O'KONSKI. In other words, it sort of struck you that here was a report that had great significance because it was impressed upon you more than any other top-secret report that you typed that this was something unusual, something different, that really must be top secret; was that the impression that you got?

Mrs. MEERES. Yes, sir.

Mr. SHEEHAN. Mrs. Meeres, you stated before that in a top-secret document, you only typed one copy, and you said something about "until it is typed for final form." What did you mean by "final form"?

Mrs. MEERES. Well, this was a statement that I took verbatim from Colonel Van Vliet, and usually a statement of that type is corrected and written in final form after it is corrected.

Mr. SHEEHAN. Do you mean that usually your procedure was that it was corrected, to do it over?

Mrs. MEERES. Yes, sir.

Mr. SHEEHAN. And in this particular instance you never got it back to do it over?

Mrs. MEERES. That is right.

Mr. SHEEHAN. And in previous documents that you had typed and returned to you with corrections, what was the procedure on the number of copies that you would make?

Mrs. MEERES. It would depend on the report and how many were needed.

Mr. SHEEHAN. Did you ever before make a single copy and never any more?

Mrs. MEERES. Oh, yes, sir.

Mr. DONDERO. Mr. Chairman.

Chairman MADDEN. Mr. Dondero.

Mr. DONDERO. Whatever became of your stenographic notes? What was the procedure in the office?

Mrs. MEERES. On this particular job, I returned my stenographic notes to Colonel Lantaff. But when I was working in my own office, we had our own security there, where it was burned by our own security officer.

Mr. MITCHELL. Will you explain to the committee what the security procedure was in your office relative to stenographic notes?

Mrs. MEERES. Well, after our notes were finished, we saved them in the top-secret safe for a little while in case we would have to refer to them, and then they were burned. We had a regular procedure for that. The security officers took care of it.

Chairman MADDEN. Are there any further questions?

Mr. FURCOLO. Mrs. Meeres, you said, as I understood you, that after Colonel Van Vliet had dictated to you, you took the report and a letter up to General Bissell's office. Did I understand that correctly?

Mrs. MEERES. Yes, sir.

Mr. FURCOLO. Then I understood you to say that you did not know if it was finished or not. Is that right?

Mrs. MEERES. That is right, sir.

Mr. FURCOLO. Ordinarily, if any person dictated something to you, would you, after it had been completed, not show it to that person, or would the ordinary procedure be to take it to General Bissell?

Mrs. MEERES. Well, I never did a job just like this before. This was out of my regular routine. So I took it back to General Bissell's office.

Mr. FURCOLO. Was Colonel Van Vliet in the office at that time?

Mr. MEERES. Well, that is what I can't remember.

Mr. FURCOLO. You brought the report physically, the typed report, to the best of your knowledge, the only copy; is that right.

Mrs. MEERES. Yes, sir; to the best of my knowledge.

Mr. FURCOLO. You brought that sole report to General Bissell's office?

Mrs. MEERES. I don't know whether I gave it to Colonel Lantaff and he brought it in, or whether I brought it in.

Mr. FURCOLO. Your best recollection is that the last you saw of that report, where was it?

Mrs. MEERES. I can't recall where it was, because I am not sure whether I gave it to Colonel Lantaff or——

Mr. FURCOLO. Would your best recollection be that the last you saw of that report, it was either in the hands of Colonel Lantaff or in the hands of General Bissell?

You see, what we are trying to do is trace this report down as best we can.

Mrs. MEERES. Yes, I know.

Mr. FURCOLO. And we do not want any more than your best recollection.

Mrs. MEERES. Yes, sir.

I am positive it was in that office. I am positive I left it up there.

Mr. FURCOLO. Where, and with whom?

Mrs. MEERES. I gave it to either Colonel Lantaff or Colonel Van Vliet, or General Bissell.

Mr. FURCOLO. In other words, you are reasonably certain that the last you saw of that report, you left it with one of those three men, Colonel Lantaff, Colonel Van Vliet, or General Bissell?

Mrs. MEERES. Yes, sir; that is right.

Mr. FURCOLO. Did you ever, at any time from that day to this, see that report again?

Mrs. MEERES. No, sir.

Mr. FURCOLO. With reference to your notes, I understood you to say that your best recollection is that you left those with Colonel Lantaff or someone there; is that right?

Mrs. MEERES. That is right.

Mr. FURCOLO. At the present time are you employed by any department or agency of the United States Government?

Mrs. MEERES. Yes, sir; I am; the Interior Department.

Mr. FURCOLO. I just want to ask you one more question.

I gather from your testimony that apparently this was the first time you had been called in for a job or some work for General Bissell, or that office.

Mrs. MEERES. Yes, sir.

Mr. FURCOLO. Was there any reason for that, that you know of?

Mrs. MEERES. The only reason was that we were the prisoner of war branch, and it had to do with our branch. We handled all the work in connection with prisoners of war.

Mr. FURCOLO. In other words, do I understand that Colonel Van Vliet was returning as a former prisoner of war?

Mrs. MEERES. That is what I understood at the time.

Mr. FURCOLO. Let me ask you this question: Assuming that Colonel Van Vliet did return as a prisoner of war, would there be anything unusual about your department's handling it rather than some other department?

Mrs. MEERES. I believe that usually our department would have handled it, except that he went to General Bissell instead.

Mr. FURCOLO. I think you partially answered this in answer to a question of Congressman O'Konski, but I would be interested in getting your general opinion as to whether there was anything at all about this case, right from the very beginning, that impressed itself upon your mind as being handled any differently than the ordinary top-secret case would be handled?

Mrs. MEERES. No, sir. I don't think it was handled any differently, except that I was the one to do it. I wouldn't ordinarily do a job for General Bissell.

Mr. FURCOLO. This committee is extremely interested and we intend to track down, of course, any evidence that there may be indicating that there was some sort of a cover-up or a hushing up of any facts in connection with this entire case. Are you aware, in any way at all, of any acts or statements on the part of anyone to try and cover up or hush up something in connection with this?

Mrs. MEERES. No, sir. In fact, ever since the investigation, I have been told to tell everything I can remember about the report. The only thing that was top secret was the content of the report, at the time.

Mr. FURCOLO. That is all.

Chairman MADDEN. Do you have any questions, Mr. Machrowicz?

Mr. MACHROWICZ. Yes, sir.

I believe you said you had been working for the G-2 since 1941?

Mrs. MEERES. Yes, sir.

Mr. MACHROWICZ. And you were working in a secret section of that G-2?

Mrs. MEERES. Yes, sir.

Mr. MACHROWICZ. Had you taken quite a number of secret reports prior to this one?

Mrs. MEERES. I took several.

Mr. MACHROWICZ. Were you briefed before you went upon your duties, as to the security precautions?

Mrs. MEERES. Well, in that particular division, they are very security-conscious. We were constantly being told and briefed, but not for a particular job like that, because—

Mr. MACHROWICZ. Not for the particular job?

Were you always briefed particularly before every secret report that you took?

Mrs. MEERES. No, sir.

Mr. MACHROWICZ. You were not?

Mrs. MEERES. No.

Mr. MACHROWICZ. In this case, I believe you testified that you were briefed specially?

Mrs. MEERES. Yes, sir.

Mr. MACHROWICZ. Did that impress upon you the particular importance given to these reports, as compared to the others in which you were never briefed separately?

Mrs. MEERES. No, sir. I didn't think much of that.

Mr. MACHROWICZ. Were there any special security precautions given to you on this report that were not given to you in the others?

Mrs. MEERES. No. It was just the same as the others.

Mr. MACHROWICZ. But this is the only report that you know of, from the time you were in the G-2, where you were given special, particular security precautions?

Mrs. MEERES. For a particular job.

Mr. MACHROWICZ. This is the only particular job in the course of your experience at G-2 where you were given the special, particular precautions?

Mrs. MEERES. No.

May I take that back, sir, because I told you I worked with the X section, and I did some jobs there also that I was specially briefed on. I just forgot. You just recalled it to my mind.

Mr. MACHROWICZ. Can you recall any special precautions that were given to you in this case that were not given in other cases?

Mrs. MEERES. No, sir; I can't.

Mr. MACHROWICZ. That is all.

Mr. DONDERO. When you returned your stenographic notes, were they in the form of the ordinary stenographer's notebook?

Mrs. MEERES. Yes, sir.

Mr. DONDERO. And you simply handed the book over?

Mrs. MEERES. I believe I tore my notes out of the book.

Mr. DONDERO. And then they were put into an envelope?

Mrs. MEERES. I put them in a double envelope.

Mr. DONDERO. They were put in an envelope?

Mrs. MEERES. That is right.

Mr. DONDERO. Did you ever see those notes again?

Mrs. MEERES. No, sir.

Mr. DONDERO. Do you know what was done with them?

Mrs. MEERES. I assume that they were burned; but I don't know.

Mr. DONDERO. Was that the procedure?

Mrs. MEERES. Yes, sir.

Mr. DONDERO. To burn the notes?

Mrs. MEERES. Yes, sir.

Chairman MADDEN. Are there any further questions? Mrs. Meeres, on behalf of the committee, I thank you for coming here to testify.

Mrs. MEERES. Thank you.

Chairman MADDEN. Major General Bissell.

General Bissell, do you solemnly swear that in the hearing now being held you will tell the truth, the whole truth, and nothing but the truth, so help you God?

General BISSELL. I do.

**TESTIMONY OF CLAYTON L. BISSELL, MAJOR GENERAL, USAF  
(RETIRED), ACCOMPANIED BY F. SHACKELFORD, COUNSELOR,  
DEPARTMENT OF THE ARMY**

Chairman MADDEN. Just state your full name to the reporter, General.

General BISSELL. Maj. Gen. Clayton L. Bissell, Air Force, United States, retired.

Chairman MADDEN. And your present address?

General BISSELL. Signal Mountain, Tenn.; 102 River Point Road.

Chairman MADDEN. Will counsel proceed?

General BISSELL. With your permission, I would like to hand you two letters at this time. I am handing the counsel two letters at this time because I think I should do it at this moment. You judge whether you want them, or not.

Chairman MADDEN. Yes.

I have here a letter dated May 21, 1952, written by Clayton L. Bissell, major general, USAF, retired, to the Chief of Staff, United States Air Force.

Will you have the reporter mark it "Exhibit 2"?

(The document referred to was marked "Exhibit 2" and made a part of the record as follows:)

**EXHIBIT 2**

**SIGNAL MOUNTAIN, TENN., May 21, 1952.**

**Memorandum to the Secretary of Defense.**

**Through: Chief of Staff, United States Air Force.**

**Subject: Testimony for Select Committee of the House Investigating Katyn Massacre.**

The United Press about May 16, 1952, stated that Chairman Roy J. Madden of the select committee of the House currently investigating the Katyn massacre announced that I would be the first witness before the committee on June 3, 1952, at a public hearing in Washington.

I will be very glad to cooperate fully with the committee. Published reports of the committee hearings indicate that not only the Katyn matter itself but matters directly or indirectly related to Katyn may become the subject of questioning. There are many aspects of the matter that, as of the date of my retirement, were still classified. Since my separation from the service, I have had no means of knowing which, if any, of these matters have been declassified.

Written instructions are requested as to what matters I may and may not testify about in connection with the Katyn affair, and what action it is desired I should take in answering questions relating to State or Defense Department material the classification of which I am no longer aware.

If called, and the committee follows its usual procedure, it is expected they will ask me if I have received any instructions from National Defense or other sources as to what I should or should not testify. If such a question is asked, and there is no objection, I should like to lay before the committee a copy of this letter and its reply. If no instructions are received, I will have no alternative



but to lay this letter before the committee and so state, thereafter, answering any questions asked without regard to security classification of material of which I naturally cannot now be aware.

CLAYTON L. BISSELL,  
*Major General, USAF (Retired).*

A certified true copy:

FREDERIC H. MILLER, Jr.,  
*Colonel, USAF.*

Chairman MADDEN. I have here a letter headed "Memorandum for Clayton L. Bissell, major general, USAF (retired)" written by Roger Kent, general counsel for Charles A. Coolidge, in the Office of the Secretary of Defense. This letter is dated June 2, 1952, and is in answer to the letter set out as exhibit 2.

Will you have the reporter mark this "Exhibit 3"?

(The document referred to was marked "Exhibit 3" and made a part of the record as follows:)

#### EXHIBIT 3

OFFICE OF THE SECRETARY OF DEFENSE,  
*Washington, D. C., June 2, 1952.*

Memorandum for Clayton L. Bissell, major general, USAF (retired).  
Subject: Testimony for Select Committee of the House Investigating Katyn Massacre.

In answer to your memorandum of May 21, 1952, to the Secretary of Defense, I can advise you, after consultation with the Department of State, that neither the Department of State nor the Department of Defense knows of any matters connected with the Katyn massacre which now need to remain classified. These Departments, therefore, know of no reason why you should not testify freely as to all matters connected with the Katyn affair. In doing so, you should not disclose sources of intelligence which from your general experience you will realize would thereby be jeopardized.

Testimony concerning official matters not connected with the Katyn massacre, the current security classification of which you may not be aware, will be withheld pending determination of its current classification status.

ROGER KENT,  
*General Counsel for Charles A. Coolidge.*

Chairman MADDEN. Proceed, Mr. Mitchell.

Mr. MITCHELL. General, where were you born?

General BISSELL. In Kane, Pa.

Mr. MITCHELL. When were you born?

General BISSELL. July 29, 1896.

Mr. MITCHELL. Will you tell the committee your educational background, please?

General BISSELL. Regular grammar school, high school, law school.

Mr. MITCHELL. Where did you go to grammar school and high school?

General BISSELL. Grammar school in Kane, Pa., and high school in Kane, Pa., and Olean, N. Y.

Mr. MITCHELL. Where did you go to law school?

General BISSELL. Valparaiso University, Indiana.

Mr. MITCHELL. Did you attend the United States Military Academy?

General BISSELL. I never attended Military Academy.

Mr. MITCHELL. What did you do after law school?

General BISSELL. I left law school prior to graduation, a few months before graduation, to enter the first officers training camp.

Mr. MITCHELL. When was this?

General BISSELL. 1917, very early.

Mr. MITCHELL. Were you later admitted to the bar of Indiana?

General BISSELL. I was.

I was criticized for leaving the school without finishing the course so close to the end, but my grades were good and they asked me to come back and receive my diploma in uniform.

Mr. MITCHELL. Did you receive your diploma?

General BISSELL. I did, sir.

Mr. MITCHELL. When?

General BISSELL. At the graduation of the class in 1917.

Mr. MITCHELL. Were you admitted to the bar of Indiana?

General BISSELL. That is right, sir.

Mr. MITCHELL. When?

General BISSELL. I couldn't give you the date because I was back in training camp, but it went through the usual procedure. It would have occurred sometime during the next few months after that, the papers being completed and my admission certified.

Mr. MITCHELL. Were you discharged from the Army after your service in World War I?

General BISSELL. I stayed on until the 1920 Reorganization Act went into effect, and at that time left the service for a brief period and went to work for the Galludet Aircraft Corp., then located in Connecticut.

Mr. MITCHELL. What date was that approximately?

General BISSELL. Sometime in the summer of 1920, probably the date that the law became effective, which was sometime in June, as I recall, 1920; probably June 30 at the end of the fiscal year, would have been the most normal period.

Mr. MITCHELL. When did you return to Army service?

General BISSELL. Sometime late that fall. I had met General Mitchell by coincidence in New York, and he asked me to come back and do a specific job.

Mr. MITCHELL. Were you an aviator in World War I?

General BISSELL. I was an aviator in World War I on the British front, as a fighter pilot, for about 5½ months.

Mr. MITCHELL. You stated to the committee that you returned to military service approximately the fall of 1920; is that right?

General BISSELL. I was out just a few months, and I think it was either the fall of 1920 or just after the first of the new year. I think I met General Mitchell at the Armistice Day dinner in New York, and he wanted me to come back and do a certain job, and I did go back.

Mr. MITCHELL. On this next question you may refer to notes if you would like to.

Could you tell the committee the various assignments you have had from 1920 until September 1, 1939? What was your rank in the fall of 1920?

General BISSELL. I was a captain at the time I left the service. I had been recommended for a majority, but the promotions were frozen at a certain period when the winning of the war was certain. There was no use commissioning additional officers. Under the reorganization, not being a West Pointer, I would have had to accept a first lieutenantcy. I did not want to do that because I did not see that it was in the national interest at that time. I didn't think I knew

enough of the military. I knew enough of the civilian side to go into that.

After I came back in the service, the job that I was brought in for was to assist in the setting up of a school that became known as the Air Service Field Officers' School, subsequently the Air Corps Field Officers' School, now the Air War College.

No such thing had ever existed. I had recommended it prior to my separation from the service; and General Mitchell, following through, wanted me to come back and assist in getting it going. The purpose of it was to give those considerable number of Regular officers who did not get overseas because of their training—they were kept over here; that is, training others, the West Pointers—they had missed the combat side of the war and it seemed to me that a school was the only opportunity to pass it on to them while the information was fresh.

I went to Langley Field for that purpose.

Mr. MITCHELL. How long were you there?

General BISSELL. I was connected with that school, with short breaks, a good deal of time. I started in, I think, in 1920 or early 1921. I was with it through the formation period of the school.

I was then selected by General Mitchell as an aide to go to Europe and visit all European countries, testing and examining aircraft. We visited most of the countries of Europe that had any air forces. Our relationship became very close during that period; and when I got back—shortly after that—I was ordered away from the school and made his aide and was his aide for the following 4 years, and also as a direct assistant as Assistant Chief, Army Air Service, as it was called in those days.

Mr. MITCHELL. When was your first assignment in the Army in connection with Military Intelligence?

General BISSELL. When I returned from World War II, after 2 years in India with Stilwell.

Mr. MITCHELL. Did you have any Military Intelligence background at any period of time from 1917 until your return from Stilwell's theater?

General BISSELL. Yes; a rather considerable amount.

Mr. MITCHELL. Could you tell the committee about it?

General BISSELL. Before setting up this school, it was necessary to determine what the courses should be; and, naturally, there had to be Intelligence in it. My specialty was operations. I didn't deal much with Intelligence, but I knew the relationship of Intelligence to Operations, and learned more as the years passed.

When I left the Air Corps school, I attended Leavenworth, where there was a 2-year course. There was a considerable amount of emphasis on Intelligence. And I believe Colonel Van Vliet's father taught the class out there. I am not sure of that.

Mr. MITCHELL. But you yourself never had a specific assignment in the capacity as Military Intelligence officer until your assignment after that with General Stilwell?

General BISSELL. Yes; I did. I had one in Air Force immediately after my return, with the idea of expanding and reorganizing the Air Corps Intelligence. It was the Air Corps Intelligence at that time.

Mr. MITCHELL. When you say "Air Corps Intelligence," at that time—

General BISSELL. It is Air Force Intelligence now.

Mr. MITCHELL (continuing). It was then part of the Department of the Army?

General BISSELL. That is correct, part of the Department of the Army.

Mr. MITCHELL. When was that assignment?

General BISSELL. I left India on the 1st day of September, with instructions to visit various fronts.

Mr. MITCHELL. What year?

General BISSELL. 1943.

And after visiting various fronts and England, I arrived back here, and probably within 30 days took over the duties as A-2, it was called, or Air-2 section of the staff, under General Arnold.

Now, you understand, I had Intelligence officers working under me, numerous ones, in India, where I commanded the Tenth Air Force and all American aviation for a considerable period, as well as initiating the first work on crossing the Hump. I had been with the Chinese theater in charge at Stilwell's headquarters during the time he was cut off in Burma, and I knew much of intelligence from the practical user's end, and I had a little of the school or academic background on the Intelligence side.

Mr. MITCHELL. What was the exact date on which you took over the position to which you have referred, in A-2?

General BISSELL. I would have to refer to orders. But I would say within 30 to 45 days after my departure from India, which was on the 1st of September 1943.

Mr. MITCHELL. You say "30 or 45 days." That would make it approximately October 15, 1943; would it?

General BISSELL. Yes.

Mr. MITCHELL. When did you become Assistant Chief of Staff for G-2, or was there any assignment in between this A-2 assignment and your assignment as Assistant Chief of Staff?

General BISSELL. No. It was effective, I think, by order on 5 or 4 January 1944. The thing that led up to it was that I had worked under General Strong, my G-2 predecessor. When he was head of the Army War Plans Division, I handled the Air Force plans in that office at that time.

Mr. MITCHELL. Who is General Strong?

General BISSELL. Gen. G. V. Strong, deceased, my predecessor in G-2 and a former head of the War Plans Division, the War Department General Staff.

Mr. MITCHELL. Then you are telling the committee that you assumed the duties and responsibilities of the Assistant Chief of Staff of G-2 on the 4th of January 1944; is that correct?

General BISSELL. Yes; I think that is correct. I would have to verify it if I have gone wrong, but I don't think I have. I left India in 1943 in September, and the following January the order came out.

I would like to make that clear, because I think you want something—and I know what it is—but I would like to cover the whole field.

Mr. MITCHELL. Mr. Chairman, I would like to have the record show that I have never talked to General Bissell, and I don't believe any member of the committee has talked to him before.

General BISSELL. That is correct.

Mr. MITCHELL. I have never asked him a question before this particular time.

Chairman MADDEN. Proceed.

General BISSELL. The reason for my interruption—and I want to apologize—is not any implication whatever, except that I am trying to give you everything, and we are moving rapidly over a lot of territory.

General Strong was ill. I was in the A-2 receiving a considerable amount of Intelligence through G-2.

Chairman MADDEN. What time are you referring to now?

General BISSELL. Between the period I returned from India, in 1943, and the time I took over as head of G-2, in January 1944.

In that period I was convinced we would never get, during the war, an effective Intelligence organization in Air Forces. It started too late; it did not have sufficient experienced personnel in Intelligence, and it wasn't going to work too well, and it was going to be very costly and we would get a good set-up, but the war would be over by the time we got it. So I told General Arnold exactly how I felt about it and told him I thought a better working arrangement could be made with G-2 whereby we would send Air Force officers down there in some numbers and they would specialize on the Air Force end of it and we wouldn't have to.

He took that thought to General Marshall. General Marshall had some contacts with General Strong. I think I made the suggestion on a Saturday morning. I think that afternoon I was informed that I would be the next G-2 and go see General Strong. I think physically I took over G-2 the next Monday morning because of General Strong's condition and that he promptly went to the hospital at Walter Reed.

That was not what I had originally intended at all. I had no thought of any such thing and expected to go back to operations, which was my specialty.

The order confirming me in G-2, I think, is dated January, but I think I actually went to work there nearly a month earlier, because I don't think General Strong was relieved until they had given him a thorough check at Walter Reed and determined it was not expedient to send him back to G-2. His physical condition would not stand it.

Mr. MITCHELL. What was your rank at that time, General?

General BISSELL. Major general.

Mr. MITCHELL. You stated that from the time you left the China-Burma-India theater you made several visits to other stations. Could you briefly sketch for the committee some of those visits, because it covered the period—

Mr. MACHROWICZ. Just a minute, if you will pardon me.

Mr. Chairman, I understand some of the committee have unavoidable appointments this afternoon. We probably have other matters to discuss. I think we should leave Burma to some other investigation. Let us get to the Katyn matter. I do not think it is particularly important to us what his other assignments were.

Mr. MITCHELL. Katyn happened in April 1943, it was disclosed, and he evidently came from the Near East area.

Chairman MADDEN. Does this have some connection with Katyn?

Mr. MITCHELL. Yes, sir; my line of questions has:

I will make the questions more direct if the committee so desires.

In April 1943, the Katyn affair was disclosed to the world by the Germans. The general left the China-Burma-India theater. I believe, on September 1, 1943. The Katyn affair had become known to the world then. I do not know how the general returned to the States, but he did state here this morning that he came through certain areas. I would like to have him now tell the committee if he had heard about the Katyn affair, at what stations. Colonel Szymanski was military attaché in Cairo, Egypt, at the time.

Chairman MADDEN. Proceed.

General BISSELL. I flew from India, departing from Karachi, in an airplane which was furnished to me to proceed as far as Casablanca. I was directed to proceed by the usual transport route to Cairo, with some diversions authorized to see strategic points en route. I landed at Cairo and had a few days there.

I knew something of Katyn while on duty in India and loaned Polish-speaking personnel in my command for use of the British in India. There they had families, I think, of some of the Polish Army housed somewhere outside of Karachi under pretty terrible conditions. It was nobody's fault; just there they were. Food was scarce in India; Englishmen were scarce, and English, Indian, or American people who spoke any Polish were still more scarce. So, we were very glad to help. It was a tricky thing to do. It was not my job to take care of Polish refugees but to fight the Japanese. But I felt that the small number of Polish people we had who could be of assistance wouldn't hurt us and could be of great assistance. So that was done.

I knew where they were camped and saw it from the air. While I don't recall it too much in detail, I remember talking to one or two of my people who were there, and they painted a picture of distress and privation and poverty and suffering and broken families and lives and lack of homes and everything that was pathetic. They didn't know where they were going. They were worn out, and the British couldn't move them any farther because they couldn't then stand more travel.

Yes; I knew something of Katyn, but not the detail probably that was available in America, because our messages were pretty short. I had heard of it.

When I got to Egypt, I was much more concerned with the Poleski operation, which had just been finished. It was one of the brilliant Air Force operations of the war. I was very much concerned with lend-lease and supply arrangements because we in India were supposed to get certain supplies to that theater, I wanted to help Stilwell every way I could.

Mr. MITCHELL. Did you see Colonel Szymanski while you were in Cairo?

General BISSELL. I saw a lot of people in Cairo. I could have seen him. I have no recollection of him. While I have heard his name, I have never met the man to remember who he was. I may have met him in Cairo. He would be the best judge of that. He would remember me much better than I would remember him, because there were not many Air Force people passing through there who had been much interested in Intelligence, and I was.

Mr. MITCHELL. You are now telling the committee that you had no specific discussions in Cairo with anyone in direct connection with the Katyn affair?

General BISSELL. Only that I knew from discussions at headquarters there that there were Poles in that area and that formation of a Polish Army was progressing—not too rapidly, but progressing—and that problems of every nature were involved.

Mr. MITCHELL. The problems of the forming of the Polish Army had no connection with the Katyn affair.

General BISSELL. No.

Mr. MITCHELL. What I would like to know is this: You had no discussions at all with anyone at the headquarters at Cairo relative to Katyn; is that correct?

General BISSELL. Not specifically.

Mr. MITCHELL. You do not recall anyone?

General BISSELL. No, sir; not to my recollection. It could have happened, but I don't think so.

Mr. MITCHELL. You have just stated to the committee that you assumed the position of Assistant Chief of Staff as a major general for G-2 on or about the 4th of January 1944. Will you now relate to the committee what happened when a Lt. Col. John H. Van Vliet, Jr., was brought to your office in May 1945?

General BISSELL. Yes.

I was told, probably on Monday, the 21st of May, that Colonel Van Vliet wished to see me but that, for some reason, probably because of my schedule that day, he was not set up for that day. I had a hearing up here, I think, in this House, with some committee, at about that time, and I was preparing for that, and there were many urgent things. I had been away from the 16th, the day before Colonel Van Vliet arrived in Washington, and was away on official business until the Sunday, which would have been the 20th, as I recall, when I returned dead-tired from a very long, hard trip.

I used Monday on very urgent things that had piled up during my absence, and on Tuesday I saw Colonel Van Vliet. I cannot tell you who brought him into my office. I heard Colonel Lantaff's statement. He could well have done it. It would have been normal.

I have prepared some notes which will give in a little more chronological order what happened after Colonel Van Vliet came in. I will talk from them, if you wish, or I will talk in answer to your questions as you present them.

Chairman MADDEN. If you care to refer to your notes, that is satisfactory.

General BISSELL. I think it will be quicker.

Chairman MADDEN. That is all right.

General BISSELL. If I digress or comment on things that you are not interested in, please stop me, because I don't want to take the committee's time unnecessarily.

Mr. FURCOLO. Before you start: When did you prepare those notes?

General BISSELL. I have been working on them since I heard I was to come up here, to get the things down so I would get the chronology of the thing and arranged the details that way.

Mr. FURCOLO. In other words, these are not notes that you prepared then?



General BISSELL. No; only penciled notes being revised from day to day and as I recall things.

Mr. FURCOLO. They are not notes made at that time?

General BISSELL. No, sir.

Mr. FURCOLO. They are notes you made in the last 2 or 3 weeks?

General BISSELL. Some of them were made a little earlier than that. All were prepared since your committee was formed. There was no part prepared prior to that time that is in those notes at all.

You are interested in 1945. I have it right here. I think it will be quicker to read it.

Colonel Van Vliet, who had been liberated from a German prisoner-of-war camp south of Berlin when it was overrun by the Russians, reached the American lines about May 5, 1945. He reported to me in Washington on May 22, 1945. In my office, with only Colonel Van Vliet and myself present, he told me the story of the POW visit—that is, prisoner-of-war visit—to Katyn. Although he showed the effects of his years of imprisonment less than many officers, he was tired, tense, and thin. Nevertheless, he told the story of the assembly of the American-British prisoner-of-war group and of the visit to Kaytan in such a calm, direct, and conservative manner that there was no doubt in my mind that he was telling the truth about these events exactly as he remembered what had occurred 2 years earlier.

As was to be expected in such a case, a few of his oral statements conveyed a somewhat different meaning after a few questions were asked than as originally made. This is not the slightest implication he was not completely honest and straightforward. It was probably because he had lived with the story and his reaction to the unpleasant experiences so long that he assumed more background detail was known to me than actually was the case.

As I recall, this interview lasted about half an hour. Very early in his interview I realized Colonel Van Vliet must be given an opportunity to put his report in writing in a way that would be easiest for him and that he should be afforded an opportunity to make such corrections, additions, or deletions as he considered essential for complete accuracy. I so informed him near the end of our first conference.

With Colonel Van Vliet's complete agreement, I arranged at once for a Mrs. Mildred Meeres, a competent, experienced and trustworthy secretary, to take his dictation and type his report. I also arranged for a private security room where they could work undisturbed, to be at Colonel Van Vliet's disposal. Either with Colonel Van Vliet present or promptly after my first conference with Colonel Van Vliet, I insured that Mrs. Meeres knew the security classification of her work, would be available exclusively to Colonel Van Vliet, and would receive no instructions from anyone that would conflict with these arrangements.

Thereafter, the preparation of the report was handled entirely by Colonel Van Vliet without suggestion or influence by me or by anyone else.

I then have a reference here in my notes which I think will not fit here. I talked to someone in State at that point.

Do you want it as it came?

Mr. MACHROWICZ. Do you mean you talked to someone in the State Department?

General BISSELL. Yes. On May 23 I talked to Mr. Fred Lyon, of the State Department, about another matter in the State Department's interest. G-2 works in very close cooperation with the State Department on all matters of joint interest.

General Holmes and Mr. Lyon were my closest State Department contact at this particular time. I am not positive, but it is my impression that on May 23, 1945, I told Mr. Lyon of Colonel Van Vliet's arrival, that the Colonel Van Vliet report was being prepared, and that I requested Mr. Lyon to inform General Holmes, and assured General Holmes he would receive the report promptly.

Mr. MACHROWICZ. Pardon me, but could you tell the committee who General Holmes was, what his position was?

General BISSELL. General Holmes, you will have him identified very accurately on the letter that I wrote him, which describes his position by its exact name. But he went over there to head the Intelligence of the State Department, and then they gave him other jobs, and he became an Assistant Secretary. I think he probably was one at that moment, but I am not sure just when his appointment came through.

Mr. MACHROWICZ. What is his first name?

General BISSELL. Julius.

He had been a general with General Eisenhower. When I went over to England, I met him there.

I may have passed the information direct to General Holmes on the 24th of May 1945, when I had one or two conversations with General Holmes. But 7 years have passed since the occurrence of these events, and I cannot say with certainty which procedure I used to inform General Holmes. I feel certain I took the steps to inform him.

I understand General Holmes has denied any recollection of the Van Vliet report. It would be quite understandable. The volume and pressure of work in General Holmes' State Department office had greatly increased by the ending of the German war a very short time before that and no man in his position could be expected to remember everything that passed through his office. It is possible that the matter slipped Mr. Lyon's mind and that General Holmes was not informed. Mr. Lyon was also pushed to the limit in those days.

I have known both General Holmes and Mr. Lyon over a period of years and am confident they are both loyal, honest, and able Americans. In my opinion, any implication that either of them would knowingly take any action inimical to the United States interests to assist communism or Russia is absurd.

The Alger Hiss-Chambers incident makes it appear that classified papers considered of interest to the Communists could and did leave the State Department without authority, record, or knowledge of the responsible State Department authorities. Disappearance of the Colonel Van Vliet report would have been of interest to the Russians whether or not they were responsible for the Katyn killings. As far as I know, the State Department has made no statement that Colonel Van Vliet's report was ever received, but only that G-2 had no receipt from the State Department for it.

I am not fully informed on State Department actions in this respect because there is lots going on that I don't know anything about.

When Colonel Van Vliet's report was completed, he again came to my office. He assured me that he had read over his report carefully and that he was satisfied that it represented, to the best of his recollection, what he knew of the Katyn matter and his connection with it. With Colonel Van Vliet seated in a comfortable chair in my office, I read Colonel Van Vliet's completed report. It was a good report, which I thought presented the picture more clearly than his previous oral report. Colonel Van Vliet's typed report did not differ in any fundamental, however, from the previous story told to me.

I directed the report be classified top secret. Colonel Van Vliet signed it, and it was authenticated by him so that no substitution of pages would be possible.

Mr. FURCOLO. By "authenticate," do you mean he initialed it?

General BISSELL. Initialed every page with his own initials. There is nothing unusual about that. That is prescribed in the regulations some place. It is routine.

But he hadn't done it, and I understood why he was a prisoner of war. He wasn't very fresh on his regulations, and I saw to it that he went through that procedure. I remember him initialing the pages.

The classification "top secret" had been authorized by the United States Joint Chiefs of Staff in February 1944 for use in the United States Armed Forces. It became effective March 15, 1944, while I was in G-2.

Mr. MITCHELL. Do you have a definition of that phrase, "top secret"?

General BISSELL. Yes. It is in the Army regulations.

Mr. MITCHELL. Is it the same one in existence today?

General BISSELL. I will show you a copy of the one in effect, then, if I may, if you will just make a note and have me come back to it.

Mr. MITCHELL. Surely.

General BISSELL. It was more than a year after Colonel Van Vliet was captured by the Germans in Tunisia, in February 1943, before the United States Armed Forces used the top secret classification for American military material or documents.

After his liberation from POW camp, Colonel Van Vliet had been returned to the United States with dispatch. I was not certain he understood the top secret classification in its accepted sense in our service, due to lack of opportunity for much, if any, experience in its use. As he had been cut off from much information for 2 years in a prisoner-of-war camp, I could not expect him to know the possible political significance of his report, even though he recognized it had political implications and was of State Department as well as War Department interest.

It is my recollection that at our first contact, Colonel Van Vliet asked me what he should do if questioned about Katyn, and I told him to say nothing, that I considered the matter very important and top secret.

I cannot recall exactly when or to whom I dictated my memorandum to Colonel Van Vliet. I have heard the testimony of Mrs. Meeres. I wish the committee would see if your copy has on it a number 920. If so, it was done in her section; if not, I would be interested to know. You will find that papers done by her bear the number 920.

Mr. MITCHELL. It is 907.

General BISSELL. Someone else wrote it, or someone else copied it, or something.

Mr. MITCHELL. It is an exhibit on page 51 of the part 2 hearings.

General BISSELL. Her work was 920, if my memory serves me correctly. I am sure she is mixing something up, and I will be glad to answer your questions on that, if you want it, and I am sure it was inadvertent on her part.

I cannot now recall exactly when or to whom I dictated my memorandum to Colonel Van Vliet. It was not dictated before our first conference. It was probably dictated after our conference as it bears the date of May 22, 1945. It could have been typed on the 23d and still bear the date of May 22, 1945, as it was to confirm verbal orders of that date and to be binding therefrom.

I believe either that I dictated this memo in Colonel Van Vliet's presence or asked if he suggested any changes before he signed it, because my recollection is clear that Colonel Van Vliet was entirely satisfied and happy about the memorandum.

For the various reasons I have stated, it appeared to me proper, prudent, and expedient to furnish Colonel Van Vliet with the brief memorandum referring to his report in language that would be clear and specific to him but meaningless to anyone into whose hands it might fall inadvertently. The memo sets forth the restrictions imposed on Colonel Van Vliet for the security of the information contained in his report. It also stated clearly the procedure to be followed subsequently should he desire to have the restriction removed. The reason for imposing the restriction was included.

After reading the memorandum and indicating he understood it, he signed the memorandum to make his understanding a matter of record. He has complied with the letter and spirit of his instructions.

Also, I may possibly have been influenced to be particularly careful with the security of the Colonel Van Vliet report by the fact that at that time I was preparing for testimony before the House Military Affairs Committee investigating subversive activities within the Army, before which I appeared on the morning of May 24, 1945. Also, at that time, United States security agencies were threatened with a security leak on another unrelated matter which was important. I do not know how many copies, if any, other than the original, were made of the Colonel Van Vliet report. Mrs. Meeres, who typed the report, informed me in 1950 she did not know positively, but she believed she had made only an original. I hope that you will secure—well, you have done it—her first-hand statement.

I didn't know whether you would have her come. If you hadn't, I would want you to.

She gave her reasons for believing she made only an original. Since you didn't ask her why, I will tell you what reasons she gave me. She said if she had made copies she would have remembered putting carbons in the envelope for destruction, because carbons for top-secret things had to be destroyed as well as stenographer's notes, and she said she had no such recollection.

Mr. MITCHELL. You say that was in 1950. On what occasion was it that you were talking about that? You were retired then, were you not?

General BISSELL. I had not then yet retired. I was assisting Mr. Shackelford.

I can give that to you in detail, if you like. I have notes on that, on whom I contacted and why I saw Mrs. Meeres and what I said and more of it.

Mr. MITCHELL. We can come back to that later, unless the committee decides otherwise.

General BISSELL. All right; any time you want to break in, go ahead.

She gave me her reasons for believing why she made only an original. And there were several other reasons. She said she didn't remember that her hands got dirty on the job, and they would have if she had been handling carbons. That was one of the reasons the original came out so clean, that she never corrected any carbons, and some very minor corrections were made by Colonel Van Vliet on the report—made, as I recall, in ink and initialed. Those, of course, would have to be made on the carbons had there been any.

Mr. FURCOLO. When did she tell you these things?

General BISSELL. She told me those in 1950 when I was assisting Mr. Shackelford, trying to help him get in touch with everybody who might know anything about the Van Vliet report.

And those were repeated in his office, as I recall. They were told to me upstairs when I contacted her. I saw her in the section she was then working and then recommended to Mr. Shackelford that she appear at his office, which she did. I sat in when he questioned her.

Chairman MADDEN. We can come back to that later, if you will complete your statement.

General BISSELL. Right, sir.

Normally at least one copy, plus the original, would have been made of a report. There were good reasons why, in this case, this might not have been done.

My recollection is that Colonel Van Vliet's report was dated May 24, 1945, and that it was on May 23 or 24, 1945, when he submitted it and when I last saw him. I know I saw Mrs. Meeres about the report and a directly related matter on the afternoon of May 24, 1945. My recollection is that Mrs. Meeres was in my office for part of the time Colonel Van Vliet was with me for our second conference.

My normal procedure would have been to afford an opportunity for Colonel Van Vliet to speak to me alone if he wished and subsequently have a secretary present for the period she might be needed.

Then I have a paragraph: Capt. Donald B. Stewart, a Regular Army Artillery officer, did not report to me in person or make any report to me on his participation in the prisoner-of-war visit to Katyn with Colonel Van Vliet. I did not direct Captain Stewart to make a written report. Colonel Van Vliet's report covered the part taken by Captain Stewart because Colonel Van Vliet stated Captain Stewart was in complete agreement with Colonel Van Vliet's statements and conclusion, because Colonel Van Vliet stated that he and Captain Stewart had talked about Katyn and Captain Stewart possessed no information unknown to Colonel Van Vliet, and because if the State Department or any other United States Government agency wanted a statement from or a conference with Captain Stewart, the War Department could make him available.

I had complete confidence in Colonel Van Vliet's integrity and honesty. Had Captain Stewart reported to me in Washington, as I expected he would do, I would have had him prepare a written report.

One best learns from experience. I now believe it would have been preferable had I directed Captain Stewart to report to me in Washington upon his return to the United States from World War II.

I do not remember positively many details of the Colonel Van Vliet report. I do not recall whether it was on long or short sheets, single- or double-spaced, how many pages it contained; whether or not there were carbon copies, whether Colonel Van Vliet or Mrs. Meeres personally carried the report into my office, or specifically in whose hands the report was after Colonel Van Vliet signed it. Neither does he or Mrs. Meeres. All of us at that time were primarily interested in its contents and security rather than in its format or in its physical details. I can assure you its importance was fully recognized by me, and my intent was its prompt transmittal through a secure channel either to the activity handling war crimes data, or to the State Department.

G-2 had been sending anything received in connection with war crimes or atrocities to the agency holding it for the War Crimes Commission. I do not remember definitely to which agency we sent such material for them. I know we had some definite verbal instructions from my predecessor, General Strong, which we carried out implicitly.

I have a distinct recollection of having seen previously the photographs which are exhibits 3 to 7, both inclusive, of Colonel Stewart's testimony; but if such photographs were attached to the Colonel Van Vliet report, the Captain Gilder report, or other reports of Katyn I handled, I do not remember.

Chairman MADDEN. You speak of Colonel Stewart's testimony. What do you mean by that?

General BISSELL. I read what is in the book when he talked to you, and he gave you the pictures and I had a chance to see what the pictures were.

Chairman MADDEN. Proceed.

General BISSELL. I believe I had previously seen the photographs also that are exhibits 1 and 2, both inclusive, of Captain Stewart's testimony, but I do not have as distinct a recollection of those.

Mr. MITCHELL. May I interrupt a minute?

Mr. Chairman, those exhibits are in part 1. The hearing was held October 11, 1951.

Mr. SHEEHAN. Counsel, the general mentioned the Captain Gilder report. What was that?

General BISSELL. I will come to it, if you want me to, and other reports I mentioned, if you would like to, on Katyn.

I cannot be positive what happened to the Colonel Van Vliet report, but it is my recollection, confirmed by some available documentary material, which I believe has been made available to this committee, that the letter of transmittal for the Colonel Van Vliet report was dated May 25, 1945, and that it, the Colonel Van Vliet report, and the related matter were transmitted to the State Department representative, Brig. Gen. Julius C. Holmes, on May 25, 1945.

The available documentary material confirming transmission of the first Colonel Van Vliet report—[addressing Mr. Shackelford] and I say first as counterdistinguished from the one that was secured by your auspices—the one that I remember as the first one—

Mr. MACHROWICZ. Pardon me, but might I just interrupt.

You referred now to a letter of transmittal from your department to the Department of State, which you say also disappeared. If I

remember your statement a few moments before that, you, I believe, said that you were not sure whether you transmitted it orally or by letter.

General BISSELL. No. I said I didn't know where it had gone. In other words, State says they didn't receive it. I can't say they did receive it.

Mr. MACHROWICZ. I think if you will refer to the notes from which you read, you previously said you are not sure whether you referred to it orally or by transmittal; is that right?

General BISSELL. Of course; it is in the record. I would like to give it to you again.

Mr. O'KONSKI. General, I have just one question.

In your experience in that particular position, do you know of any reports besides this one disappearing?

General BISSELL. I don't know that this one disappeared, frankly; but, specifically, what you are after is another case.

Mr. O'KONSKI. I use that term advisedly.

General BISSELL. No; I don't believe I do.

Mr. O'KONSKI. As far as you know, to your knowledge, in your experience in that department, this is the only report that you know of that cannot be located?

General BISSELL. No. That is not so. There are thousands of them that can't be located, that have been destroyed; thousands of them.

Mr. O'KONSKI. But there is a record of them that they have been destroyed.

General BISSELL. Sometimes there will be and sometimes there will not.

And I have that covered in my notes here some place and the reason for it. There was good reason for it.

Chairman MADDEN. I think we will make better progress if you complete your statement and then the members of the committee can cross-examine.

General BISSELL. As you wish it, sir.

The available documentary confirming transmittal of the first Colonel Van Vliet report is my secret letter dated August 21, 1945, to Frederick Lyon, Acting Director, Office of Controls, room 115, Department of State, Washington, D. C., which reads:

DEAR MR. LYON: Transmitted for the information file of the State Department is a report on Katyn by Stanley S. B. Gilder, captain, EAMC (Medical Corps), British officer. This report supplements the statement of Lt. Col. John H. Van Vliet, Jr., forwarded to General Holmes 25 May 1945, and generally substantiates all material facts in Lieutenant Colonel Van Vliet's report.

Sincerely,

CLAYTON BISSELL,  
*Major General, G-2,  
Assistant Chief of Staff.*

The identifying reference on this letter is 700,00061WBA.CSLE. This is a decimal identification and a decimal file date.

The letter also carried the identification MIL920, which was a G-2 identification. The G-2 identification was for the section in which Mrs. Meeres worked.

This communication shows, by State Department stamps, that it was in their Office of Controls August 23, 1945, in their Division of Foreign Activities Correlation on the same date, in their Special War



Problems Division on October 2, 1945, and in the Office of European Affairs on October 5, 1945.

Other entries on the letter indicate that it was probably seen or processed by the individuals or activities in the State Department identified thereon as F131.ETB.WHM.WMF.SWP.CE.EE, and that the letter was received in State Department confidential file October 16, 1945, after only 5 days less than 2 months of processing in the State Department.

During this entire period, I continued as G-2. Had the Colonel Van Vliet report not been available in the State Department, I would have received a letter or a telephone call asking for it, because, obviously, it would have been impossible to compare the Gilder report with the Van Vliet report had knowledge of the Colonel Van Vliet report not been available in the State Department.

The Captain Gilder secret report referred to in my August 21, 1945, letter, and its enclosure was a British War Office document identified by the reference MI-9/BM/973. MI-9 means British Military Intelligence Office, section 9, and the BM/973 was a reference for British identification and file location.

The Captain Gilder report was a history of a visit made to Katyn in 1943, consisting of three standard-sized typed pages, written very full, and divided into only two paragraphs. It is my understanding that the Captain Gilder report has been made available to the committee. If not, it should be in State Department files.

There is also a notation placed in the letter by the State Department. It is 711.62114-A, just written on it. This was the decimal file reference number to the matter related to Colonel Van Vliet's report, to which I previously referred and will refer again. This shows that State had gone into the Katyn report carefully and thoroughly enough to locate the related matter also. It was tied together.

It has been possible for me to be so specific on details about the August 21, 1945, letter because in the fall of 1950, Mr. Shackelford, then and now Department Counselor, Department of the Army, was conducting an investigation into the Katyn affair, showed me my letter which he had secured from the State Department files.

He questioned me about it and authorized me to make a longhand copy of the letter to facilitate the location of the file copy which should have been back in the G-2 files.

Chairman MADDEN. Pardon me. Your letter that you referred to was the letter that accompanied the Gilder report, was it?

General BISSELL. The one that carried the Gilder report, referring to the Van Vliet report, and asked them to compare the two and telling them there was no fundamental difference.

I was able to locate the file copy of my letter on the Gilder report—it was an identical carbon copy—that is, it was in the G-2 files—of the text, but, of course, it did not show the State Department processing, because it had never been away from G-2.

Mr. MITCHELL. When did you locate that? This is 1950, is it?

General BISSELL. 1950, yes. I went down, and Mr. Shackelford had the original letter, the one that I sent to State.

Mr. MITCHELL. He got it from State?

General BISSELL. He got it from State.

Mr. MITCHELL. You say now that you found the identical copy of it?

General BISSELL. Yes.

Mr. MITCHELL. This was September, 1950?

General BISSELL. Yes.

Mr. MITCHELL. Where did you find it?

General BISSELL. In G-2.

Mr. MITCHELL. Where in G-2? Maybe we can find the Van Vliet report there yet.

General BISSELL. I hope so, but I don't think you will, because I think we have tried every way we could to locate it.

A young man who was a captain was acting as a sort of liaison officer between you (addressing Mr. Shackelford) and G-2 at that time. I gave it to him and then he said it had not enough importance. The war was going on in Korea at that time, I went to General Weck-erling at that time, who had been my deputy in G-2, during the war and asked him to put some pressure on it. General Bolling came in while we were talking and I asked him to put some pressure on it. It came up.

When it came up, it carried the following file information, that had not been on the original letter to the State Department. It read: "AC of S, G-2/72577, General Bissell. MM. CPM."

The 72577 was a reference number. The rest meant that the letter originated in my office, that I dictated it personally to MM, who was Mrs. Meeres. The (CPM,) meant the "Captured Personnel and Material Section" to which she belonged.

Mr. MITCHELL. What was the date on that?

General BISSELL. 21 August, 1945.

Mr. MITCHELL. Thank you.

General BISSELL. It also contained an entry "Courier Service, senders Number C-601, date 22 August, 1945". This meant the letter was hand-carried to the State Department.

There is also a self-explanatory note on the file copy, which reads, "Received back in MIS Administrative Records, August 24, 1945".

The significance of that is to keep people informed when the file copy was sent to somebody sometime, and then they got it back and made the record.

Mr. MACHROWICZ. Was there any acknowledgement of receipt by the Department of State?

General BISSELL. That particular copy we are talking about, this file copy, never got out of G-2, so there would be no receipt any place.

Mr. MACHROWICZ. Was there any indication in the Gilder report that the letter of transmittal was received?

General BISSELL. It wouldn't be on the letter. All that was on the file copy in G-2 was an indication how it had been sent.

Mr. MACHROWICZ. Have you found any acknowledgment of receipt by the Department of State of the Gilder Report? I am talking about the Gilder Report.

General BISSELL. I didn't look for a copy of a receipt from State of the Gilder Report.

Mr. MITCHELL. Why not?

General BISSELL. Because they answered to that.

Mr. SHEEHAN. But you did see the letter from the State Department?

General BISSELL. I saw the letter I sent to State, my own personally signed letter, which Mr. Shackelford had gotten from them. That

was a clue how we might have gotten some more Katyn data, maybe put in our files. For one thing, that would be the right place. So I took a copy in longhand and checked the files on it through G-2. I didn't do it physically. Up came the copy, and it showed you how the letter was sent off.

Mr. MACHROWICZ. What do you mean, it was the right place? You know we had to go to the warehouse in Alexandria to find the right place on the Szymanski report.

General BISSELL. Yes; I imagine you would have to go a lot farther, to Kansas City and other places, to find a lot of stuff that happened in the war. The paper work got too big and they needed the offices for something else. They had either to destroy it or send it away.

Mr. MACHROWICZ. On important documents?

General BISSELL. What becomes important is a matter of history and development. No one suspected that this one would be of anything like international significance.

Mr. MACHROWICZ. Did you say you recognized the importance of the document?

General BISSELL. Yes; I did, you bet—but not the kind of significance it has in today's world, because nobody could have foreseen the situation that we have today. I did recognize it.

I have told you what the mention of the entries on the paper meant, and what was on it. I now refer to the related matter previously mentioned, which was dated and directed to the State Department May 25, 1945, the same date. I believe as Colonel Van Vliet's report. It is my letter to Brig. Gen. Julius C. Holmes, Assistant Secretary, Department of State, and reads:

DEAR GENERAL HOLMES: A Lt. Col. John H. Van Vliet, Jr., Infantry, and a Captain Stewart, while prisoners of war at Oflag No. 684, are reported to have been given a letter by the Swiss Protecting Power, dated about October 1943, which asked them to reply to certain questions. These questions were:

1. Had Captain Stewart and Lieutenant Colonel Van Vliet gone to Katyn?
2. How had they been treated?
3. Were any photographs taken?
4. Had they made a statement?

Colonel Van Vliet believes that a copy of this letter, together with his reply, are in State Department files. It is requested that this be verified, and if the records referred to are in the files of the State Department, that copies be made available for the Assistant Chief of Staff, G-2.

Sincerely,

CLAYTON BISSELL,  
Major General GSC,  
Assistant Chief of Staff, G-2.

Mr. MACHROWICZ. Can we get the date of that letter?

General BISSELL. The date of that letter was May 25.

Mr. FURCOLO. 1945?

General BISSELL. Yes.

Mr. FURCOLO. May I interrupt just a minute to ask a question, Mr. Chairman?

Chairman MADDEN. Yes.

Mr. FURCOLO. On page 67 of the hearings, at the bottom of the page, it refers that the only letter sent on May 25, 1945, from General Bissell to General Holmes, was on another phase of this subject, and it contains no reference to transmitting the Van Vliet memorandum.

Mr. MITCHELL. That is in part II.

Mr. FURCOLO. Now, is it your testimony that you did transmit the Van Vliet memorandum in that?

General BISSELL. No. I say that this letter tends to indicate that I did one of the two things I intended to do with it. Now, I didn't personally ever take any—well, yes, sometimes I did take papers and deliver them myself. But all I did in my position there was to make decisions, establish policies, and had procedures set up so that I didn't do the things myself. Other people did them.

Mr. FURCOLO. What I am anxious to find out if I can is: From the letter that you have read, and having in mind this comment that was made on the bottom of page 67, would you be willing to say that you did not transmit the Van Vliet memorandum in that letter?

General BISSELL. Well, nomenclature is causing a lot of trouble. I think we better get straight.

Mr. FURCOLO. All right.

General BISSELL. The thing that has caused most of the trouble with most of the people that have talked to the committee, in the small amount of testimony made available to me in sections 1 and 2, have not known that there were two Van Vliet reports written at the same time of the first visit.

The result is they are going in big circles. Now, one of them will call a report a letter, another will call it a report.

Mr. FURCOLO. What I want to find out on this is: Did you transmit any enclosure with this letter of May 25, 1945, whether it is called Report No. 1 or 2, or something else?

General BISSELL. This letter is part of what Colonel Van Vliet said occurred, but I don't think it was put in his report of Katyn, because it wasn't part of the description of Katyn.

Mr. FURCOLO. Here is what I am getting at, General—and I do not mean to be technical about it. But I understand that you sent a letter of May 25, 1945. Now, was anything enclosed in that letter? I am not referring to the words and body of that letter of May 25, but did you send any enclosure of any kind in that letter?

General BISSELL. I don't believe so because, had it been done, there would be written on the lower left-hand corner what the enclosure was. And the Van Vliet big report of his story of Katyn wouldn't be attached to that thing, because the purpose of this was different, which I will explain as I go along.

Mr. FURCOLO. That is the point I was getting to. In your letter transmitting the Captain Gilder report, I notice as you read it, that at the bottom you mentioned "one enclosure."

General BISSELL. Which was the Gilder report.

Mr. FURCOLO. You also mentioned it in the letter.

General BISSELL. That is right.

Mr. FURCOLO. I notice in the letter of May 25, 1945, there apparently is no reference made to an enclosure, and also no reference made at the bottom of the letter to an enclosure.

General BISSELL. There shouldn't have been, because it doesn't mention an enclosure in the text.

Mr. FURCOLO. Your testimony now, as I understand it, with reference to this letter of May 25, 1945, from you, General Bissell, to General Holmes is, to the best of your knowledge, that there was no enclosure of any kind in that letter?

General BISSELL. To the best of my knowledge, there was not. You have put a thought in my mind that had never entered it before, and that is whether by accident or mistake, the Van Vliet report could have been put there, but I don't think it is possible.

But this is the thing some people speak of as the Van Vliet report, in good faith, and think they are talking about the thing that you have been investigating.

Mr. MITCHELL. You say what people think—you are referring here to the letter concerning the Swiss protecting power, are you not?

General BISSELL. Well, that is the deal, yes.

Mr. MITCHELL. In other words, I never knew, to my personal knowledge since I have been on this investigation, that there were two reports by Van Vliet concerning Katyn. I would not phrase it that way. I would say there was a report specifically concerning Katyn, which was rendered to you by Colonel Van Vliet. This is a subsequent request, as I get it, which may have occurred at the same time, which concerned a request by the Swiss protecting power, which he is merely reporting for your record, that he was asked these questions, about going to Katyn, and so forth. This does not refer in any way to what happened at Katyn other than there were photographs taken; is that correct?

General BISSELL. There is quite a lot to it more than that. I would like to make my point clear, that people have said it. Mrs. Meeres, in her testimony this morning, said, "I took two Van Vliet reports." Well, this is the other one. She took this letter, too.

Mr. MITCHELL. I don't recall her having said that—maybe she did.

General BISSELL. It is in there—I think it is—that is the way I understood it.

Mr. SHEEHAN. For the benefit of us members here, I am confused on this idea of the two Van Vliet reports. I wish counsel would question him on it and get it straight.

Mr. MITCHELL. All right.

General, there was a report, as I understand it, written by Colonel Van Vliet, at your request, which concerned his visit to Katyn when he was accompanied by Captain Stewart and several other Allied officers. Is that correct?

General BISSELL. There was such a report, and this is also the same incident.

Mr. MITCHELL. But there was such a report?

General BISSELL. That is right.

Mr. MITCHELL. That was specific?

General BISSELL. That is right.

Mr. MITCHELL. There was no mention in that report, was there, of anything received from the Swiss protecting power?

General BISSELL. I cannot recall Colonel Van Vliet's original report well enough to tell you whether this was also mentioned in it, or whether we handled it separately. I think we handled it separately, and I have the reasons in my notes here, if you want them.

Mr. MITCHELL. All right, we have it fixed, then, Mr. Sheehan, that there was only one real report at this stage of the investigation, namely, the Katyn affair, and the visit by Captain Stewart and Colonel Van Vliet. What he did at Katyn has been related to the committee by both Captain Stewart and Colonel Van Vliet, and it has always been

my impression that that was the report that General Bissell ordered him to document for the record, as a top-secret document.

Mr. SHEEHAN. As of May 21 or May 22, 1945?

Mr. MITCHELL. Right.

Now, the general is bringing forth another item which specifically concerns the Department of State, because it refers to the Swiss protecting power, which was then the power in control of the German prison camps where Captain Stewart and Colonel Van Vliet were, and I believe that a subsequent conversation—the general is trying to tell the committee now that Colonel Van Vliet reported this item of being called in by the Swiss protecting power. And we have never considered that as being a report.

Mr. SHEEHAN. Did the Army ever release that report to us? It should be in their files.

General BISSELL. I think you have it.

Mr. MITCHELL. I don't believe we have it.

General BISSELL. If you haven't, I can tell you where to get it.

Mr. MACHROWICZ. Do you mean the Gilder report?

General BISSELL. No; this is not the Gilder report we are discussing now.

Mr. MACHROWICZ. Does the Swiss report have anything to do with Katyn?

General BISSELL. Yes, sir.

Mr. MITCHELL. Yes, sir.

Could we have for the record—will the general report for the record the letter, and what the letter specifically refers to? I am sure it will clear it up to the committee.

When Van Vliet and Stewart returned from Katyn, about 4 or 5 months later, the Swiss protecting power asked them for some data in connection with it.

General BISSELL. That is correct.

Mr. FLOOD. Let me make this observation—this is all very interesting, the Swiss report and the inquiries the Swiss made of Van Vliet and Stewart, but, nevertheless, it has nothing to do with the thing we all know we are talking about. There may be something here we do not know we are talking about, but this investigation is concerned with the Katyn massacre. The one thing we do know that we are talking about is the Van Vliet report.

Now, we have heard Van Vliet, we have heard everybody else that we know about.

At this point I want to read into the record, from part II of our hearings, page 67, this statement:

The Department of State has no record of having received the memorandum of Lieutenant Colonel Van Vliet on May 25, 1945.

I want to insert this in parentheses: That refers to the Van Vliet report that we all know we are talking about.

General BISSELL. That is right.

Mr. FLOOD. And the Department of the Army has so far found no receipt for it and no covering letter of transmittal. Now, that refers to the Van Vliet report that we all know we are talking about. The only letter sent on May 25, 1945, from General Bissell to General Holmes, was on another phase of this subject, and it contains no reference to transmitting the Van Vliet memorandum.

General Holmes has been contacted with reference to the matter, and does not recall having ever seen Lieutenant Colonel Van Vliet's memorandum.

My parentheses again at this point is Van Vliet's memorandum is the report that we all know we are talking about, although General Bissell remembers having sent it to him.

My understanding is—I know exactly what everybody means by Colonel Van Vliet's memorandum or Colonel Van Vliet's report. This thing that just came in here now about a second Van Vliet report has to do with this inquiry by the Swiss. It is very interesting, but it is not concerned with any mystery about the disappearance of the Van Vliet report that we all know about.

I do not see why anybody has to be mixed up or concerned or confused about two Van Vliet reports. The one we are talking about is the one that we all know about—which is my phrase of identity here.

Mr. SHEEHAN. The Army did not turn it over to us; that is what I am looking for.

Mr. FLOOD. For the record, I am having no colloquy with any of my friends in the committee.

If you have any statements to make, make them on the record. I understand what I understand. If anybody else is uncertain about what is going on, say so.

Mr. SHEEHAN. I asked a question.

Chairman MADDEN. All right, Mr. Sheehan.

Mr. SHEEHAN. I merely want to state that I asked the question for the simple reason that it is my understanding the Army has turned over all the files they have on Katyn, and if they have not turned over this report, apparently they have not turned over all the files.

Mr. MITCHELL. Mr. Sheehan, they have not turned over what is referred to in the quotation Congressman Flood has just made for the record, which appears on page 67 of part II, under the title "Another Phase." I have never seen such a document. It has never been received from the Army, to the best of my knowledge, and I don't believe any member of the committee, you or I or anybody else, has seen such a document.

Mr. MACHROWICZ. Has the committee requested it?

Mr. MITCHELL. I believe we requested many times of Mr. Shackelford and everybody else, any paper connected with Katyn.

Mr. FLOOD. Let me say this again:

General, when I say "the Van Vliet report," I am not talking about this Swiss business. You know what I am talking about—the Van Vliet report that we all know about.

To your best recollection, a letter was dictated by you to the State Department, a letter of transmittal to them, enclosing or attaching thereto the Van Vliet report; is that correct? Did you dictate such a letter to the State Department?

General BISSELL. I don't know.

Mr. FLOOD. Will you say you did?

General BISSELL. No.

Mr. FLOOD. Will you say you did not?

General BISSELL. No.



Mr. FLOOD. Then, at this point you do not know whether or not you ever dictated a letter of transmittal to the State Department, having to do with the Van Vliet report?

Mr. FURCOLO. Let us get your answer on the record. You shook your head.

Mr. FLOOD. Just a moment. I will yield to you in about 30 minutes.

Now, just a minute, General. You answered my question that you do not know; did you not?

General BISSELL. I previously answered also the same thing.

Mr. FLOOD. My colleagues are concerned only that your answer does not appear on the record, and that you merely shook your head in the negative.

General BISSELL. I am sorry.

Mr. FLOOD. The answer is: You do not remember whether you did or not?

General BISSELL. That is correct.

Mr. FLOOD. If General Holmes said or says that he does not recall ever having seen a letter from you or the Van Vliet report, you will not say that General Holmes is making a misstatement?

General BISSELL. I have previously made the answer to that question in the record.

Mr. FLOOD. This is out of an abundance of caution and for repetition and for an emphatic purpose.

General BISSELL. All right, sir. I consider General Holmes an honorable, forthright, honest man, and he would say what he believed to be the truth, under any circumstances.

Mr. FLOOD. That is very interesting, and we are glad to have your estimate of General Holmes, but what is the answer to my question?

Well, I will repeat it for you:

If General Holmes said or says that he does not recall ever having seen Lieutenant Colonel Van Vliet's report, and if General Holmes says that he does not recall ever having seen a letter of transmittal from you, you will not say that he is wrong, will you?

General BISSELL. I will say that I am convinced he is right or thinks he is right.

Mr. FLOOD. Now, there are a number of other things along this very detail I want to ask you, but my brothers here are very anxious on that point, so I yield to them, only for the purpose of examining on that point, on what I am leading to.

Chairman MADDEN. Before we proceed on cross-examination, let me ask the general:

Have you completed your statement yet?

General BISSELL. No, sir.

Chairman MADDEN. You proceed with your statement, and then we will proceed.

Mr. FLOOD. Just a moment, Mr. Chairman. I prefer, if there is no violent objection, to clearing up this detail at this moment, and I want to yield to any member of the committee who wants to examine him on what I just introduced.

Chairman MADDEN. We will dispose of this detail.

Mr. FLOOD. I will yield to the gentleman from Massachusetts, Mr. Furcolo.

Mr. FURCOLO. General, perhaps I was confused, or did not hear your answer correctly, but I understood you just a moment ago, in answer to a question by Congressman Flood, to leave your testimony, in effect, that you could not say whether or not any enclosure had been sent in the letter of transmittal—referring to the letter of May 25, 1945—from General Bissell, from you, to General Holmes.

When I was questioning you about 5 or 10 minutes ago, I was under the impression that you very definitely told me that your best recollection was that you did not send any enclosure of any kind in that letter. My recollection is that you and I had some discussion about it, and during the discussion I pointed out that your letter did not contain any reference in the body of the letter to a transmittal, and also there was no notation at the bottom of the letter referring to an enclosure. We discussed the fact that in your letter of transmittal of the Gilder report, there had been a reference in the body of the letter, and also the end of the letter referred to an enclosure. After going over that, I thought that we had concluded the matter.

Could you finally leave it that your best recollection is that there was no enclosure of any kind in the letter of May 25, 1945?

Now, I also thought that your answer to Congressman Flood was somewhat at variance. I do not want to be unfair or confusing to either you or me. My mind is not clear now on whether your final answer was that you do not know whether there was an enclosure or not, or whether your final answer is that there was no enclosure. I wonder if you could clear that up for us?

General BISSELL. My best recollection is that there was no enclosure in the letter, and none listed on it, and there seems, in the body of the letter, no reason for an enclosure to have been with it.

Mr. FLOOD. I will not yield any further now, but I will in a moment, to Mr. Machrowicz.

Pursuing Congressman Furcolo's interrogation on the letter of May 25, and enclosure, that has to do with another phase of the subject, that is, the Swiss thing. I am not talking about that.

I am concerned only with two or three very simple details on this report and your connection with it.

We know the whole story about Van Vliet preparing the report in your office and that you got it, and all that kind of business—everybody understands that.

Now, I ask you if you ever dictated a letter to the State Department transmitting this Van Vliet report to them, to the State Department? You said you do not remember whether you did or not. I presume you made a search to find out if there was such a letter of transmittal, did you not?

General BISSELL. I asked G-2 to do so. That was in 1950.

Mr. FLOOD. In 1950 you asked G-2 to see whether or not there was any such a letter of transmittal from you? Did G-2 ever find it, so far as you know?

General BISSELL. No, sir.

Mr. FLOOD. State so, one way or the other.

General BISSELL. No, sir.

Mr. FLOOD. So G-2 produced no copy of such a letter; is that correct, General?

General BISSELL. That is correct, sir.

Mr. FLOOD. General Holmes said that he never saw such a letter from you and that he never saw a copy of the report. I asked you about that and you said that if he says so, you would not say he is wrong?

General BISSELL. That is correct.

Mr. MACHROWICZ. Mr. Chairman, in connection with that, I have only one question that I have been trying to ask, that I think will clear up this whole point.

Mr. FLOOD. I will yield to you on it.

Mr. MACHROWICZ. Just one question: Are you prepared now to tell this committee definitely that the Van Vliet report we were discussing all the time was transmitted by you to the Department of State?

General BISSELL. No, sir.

Mr. MACHROWICZ. You are not?

That is all.

Mr. SHEEHAN. Will the gentleman yield?

Mr. FLOOD. If you want to follow that up I will yield.

Mr. SHEEHAN. Mr. Machrowicz asked him whether or not the State Department had it. The general said "No." But a little while ago, if you go into the record, you will see that from the exchange of correspondence on other matters, that they must have had it; otherwise they would have written him asking where was this report.

Mr. MACHROWICZ. That is correct.

Mr. SHEEHAN. Did you not say that, General.

General BISSELL. I did say that.

Mr. FLOOD. Just a minute. I am yielding to Mr. Sheehan for a question. Will you ask the question?

Mr. SHEEHAN. In response to Congressman Machrowicz's question as to whether or not he thought the State Department had the Van Vliet report, the general just said "No." Is that right or wrong?

Mr. FLOOD. That is right.

Chairman MADDEN. Who is testifying here now?

Mr. SHEEHAN. Is that true?

General BISSELL. I didn't know you were asking me. I thought you were asking Mr. Flood. I am sorry.

Chairman MADDEN. Gentlemen, can we have a little order?

Mr. FLOOD. I have just yielded to Mr. Sheehan for a question, or any other observation he wants to make in connection with it.

Will you start from this point?

Mr. SHEEHAN. Thank you.

Following up from the last question Congressman Machrowicz asked you, if my memory is right, he asked you your opinion as to whether or not the State Department received the Van Vliet report, and you just answered "No." Am I right or wrong?

General BISSELL. He didn't ask my opinion.

Mr. MACHROWICZ. I did not ask his opinion.

Mr. SHEEHAN. What did he ask you?

General BISSELL. You can get it out of the record; it was an opinion, he asked.

Mr. FLOOD. Just a minute; I still have this witness.

Mr. Sheehan, if you want the record read after what Mr. Machrowicz said and what the general said, let us have it read.

Chairman MADDEN. Mr. Reporter, can you get the question asked by Congressman Machrowicz?

(The record was read by the reporter as follows:)

Mr. MACHROWICZ. Just one question: Are you prepared now to tell this committee definitely that the Van Vliet report we were discussing all the time was transmitted by you to the Department of State?

General BISSELL. No, sir.

Mr. SHEEHAN. Your understanding, then, General, is that you did not know that this report was transmitted directly to the Department of State?

Congressman Machrowicz did ask the general whether or not this Van Vliet report was transmitted to the Department of State. That was his original question; to which he said "No, sir."

Now, I am pointing out, General, if my memory is right, previously in your statements, when you were reading from your notes, you definitely came to the conclusion that the State Department, because of various exchange of correspondence, if they did not have it they would have asked you where it was?

General BISSELL. I believe—and I can answer quickly and clearly—I stated I did not know whether I had sent the paper to the war-crimes people or the State Department, but I was inclined to believe I had sent it to State, because of the supporting documentary evidence which I have subsequently presented.

Mr. SHEEHAN. That is all.

Mr. FLOOD. That is your deduction.

General BISSELL. That is just that way. I think it happened for that reason. That is what I said.

Mr. FLOOD. That is all, Mr. Chairman.

Chairman MADDEN. Does anybody else have anything on this particular point?

All right. Now, proceed with your statement, General.

General BISSELL. Thank you, sir.

I had just completed reading the signature on the letter.

Chairman MADDEN. We will reconvene at 2 o'clock.

(Whereupon, at 12:30 p. m., the committee recessed, to reconvene at 2 p. m. of the same day.)

#### AFTER RECESS

Chairman MADDEN. The committee will come to order.

General Bissell.

#### TESTIMONY OF CLAYTON L. BISSELL, MAJOR GENERAL, USAF (RETIRED), ACCOMPANIED BY F. SHACKELFORD, COUNSELOR, DEPARTMENT OF THE ARMY—Resumed

Chairman MADDEN. Before we recessed for lunch I think you were going to proceed and complete your statement. Now if you will proceed, unless some of the members have some particular question they would like to ask regarding some particular point in your statement, I would like to have you complete your statement.

General BISSELL. Thank you very much.

For continuity, I had just completed reading a letter. The letter was also shown to me in the fall of 1950 by Mr. Shackelford, who had secured it from the State Department files. I believe its contents have been available to the committee.

Mr. MITCHELL. May the record show that the contents have not been made available to the committee.

General BISSELL. It bears the following notation: 711.62114A, 5-25-45, which was its decimal file number and date, to which I have previously referred. It also bears the reference number 81998.

Mr. MACHROWICZ. What report are you referring to?

General BISSELL. The letter I had just read when the questions started. I had just read the signature of the letter and then the committee started asking questions.

Mr. MACHROWICZ. The letter of May 25?

General BISSELL. That is right.

Mr. MACHROWICZ. Since there has been a dispute between the two on whether it has or has not been made available, has it or has it not been made available to the committee?

General BISSELL. I said I believe it had, but Mr. Shackelford had a copy right here at the table this morning.

Mr. MITCHELL. That was the one I showed you a copy of and the reply by the Department of State.

Mr. MACHROWICZ. Can you tell us whether the letter of May 25, which the general referred to has been made available to the committee?

Mr. SHACKELFORD. I believe it was made available to the committee through the Inspector General's report.

Mr. MITCHELL. That is incorrect, because there were no exhibits connected with the Inspector General's report. That is where it is mentioned. It is referred to in there by date. Mr. Sheeham has the Inspector General's report. I will have to wait until he returns to get it.

Mr. SHACKELFORD. That can easily be checked. Mr. Machrowicz and Mr. Mitchell remember the details. It was referenced in the press memorandum that was put out.

Mr. MACHROWICZ. You will see it is made available?

Mr. SHACKELFORD. Yes, sir.

Mr. DONDERO. So there will be no break in the continuity of thought, General Bissell, the letter of May 25, 1945, to which you referred was the letter of transmittal to General Holmes? Is that the one you referred to?

General BISSELL. No, sir. It is the letter asking the State Department to verify whether they have received a letter Van Vliet said had been forwarded to him by the Swiss at our State Department's request.

Shall I proceed, sir?

Chairman MADDEN. Proceed.

General BISSELL. It also bears the reference numbers 81998. State Department stamps indicate it was in the office of the Assistant Secretary, Mr. Holmes, May 30, 1945; in State Department Special War Probes Division May 31, 1945; and there was on it an almost illegible stamp mark, apparently of the OCE-UR Unit. There is written in longhand on the letter "SWP May 31, 1945, AH/ABF." This would indicate someone in the Special War Plans Division handled the matter for Mr. Holmes.

This is confirmed by another written notation written on the letter reading "Answered 6-5-45, W. H. McCahon/EKG." This meant Mr. McCahon dictated the reply to EKG, the secretary, on June 5, 1945,

for Mr. Holmes' signature, which was typed on the letter. I do not know if General Holmes personally signed this letter. If the original is in G-2 files, this point can be clarified.

State Department's reply under date of June 9, 1945, was addressed to me as "G-2, War Department."

Mr. Shackelford also showed me the State Department copy of their reply, and I understand a copy has been made available to the committee.

Mr. MITCHELL. One moment. This committee has never seen either the original or the copy of the letter you are referring to now, namely, the State Department reply which is dated what date, June 6, 1945?

General BISSELL. June 9, 1945.

Mr. MITCHELL. The committee or no member of its staff had seen the original or a copy of it until this morning when Mr. Shackelford handed me a copy.

Mr. SHACKELFORD. We will be glad to supply it.

Chairman MADDEN. I wish you would supply it for the record.

Mr. SHACKELFORD. Yes, sir.

General BISSELL. The reply read, "Confidential. In reply refer to SWP 711.62114A/5-25/45." It is dated June 9, 1945. It follows:

MY DEAR GENERAL BISSELL: The receipt is acknowledged of your letter of May 25, 1945, concerning the report that Lt. Col. John H. Van Vliet, Jr., and Captain Stewart while detained as prisoners of war at Oflag 64, received from the protecting power a letter dated about October 1943, seeking information whether these officers had been required by the German authorities to visit Katyn. You ask the Department to verify whether a copy of such a letter together with Colonel Van Vliet's reply thereto is of record in the Department of State.

The records of the Department reveal that in September 1943, and again in December of the same year, the American Legation at Bern was informed that reports reaching the Department indicated that Lt. Col. J. H. Van Vliet and Capt. D. B. Stewart, both of whom at that time were apparently detained at Oflag 9-A/Z, were being taken to Katyn. The Legation was instructed to request the Swiss to determine whether these officers actually had made the journey and if so to learn what kind of treatment was accorded them, whether they made any statement with regard to the Katyn affair and what use had been made of any statements made or any photographs taken at the time.

In February 1944, the Department was informed that Colonel Van Vliet and Captain Stewart had been transferred to Oflag 64, and that the Swiss inspector at the time of the next visit to that camp would endeavor to obtain the information desired. No further communication regarding the matter has ever been received in the Department. In the circumstances it is considered likely that Colonel Van Vliet's reply may have been intercepted by the German authorities and never forwarded to the appropriate officials of the Swiss Government.

Mr. MACHROWICZ. I do not know whether this is intended or not to confuse us. Again you are not referring to the original Colonel Van Vliet report?

General BISSELL. No, sir.

Mr. MACHROWICZ. Your answer to me is not changed at all by the statement made so far?

General BISSELL. No, sir; but you would notice in the language used that they call this second one the report.

Mr. MACHROWICZ. Yes, but that is not the report we are talking about.

General BISSELL. Yes, that is right. That is my point. I have caught it.

Chairman MADDEN. You are confusing me a little here. What has this got to do with Colonel Van Vliet's original report?

General BISSELL. A great deal, sir, because the State Department had considerable knowledge apparently of this matter before Van Vliet ever left Germany. They wrote these letters before I ever took over G-2.

Mr. MACHROWICZ. Are you inferring now that the State Department had information about the Van Vliet report before Van Vliet came to your office?

General BISSELL. About the Van Vliet visit. They had asked that long ago, whether there was a report, and Colonel Van Vliet had made a reply to State. That is the status as I read it. There is a little bit more to be given to you on it, if you want it.

Chairman MADDEN. This is a preliminary report that they are referring to in this letter when they say, "Concerning the report that Lt. Col. John H. Van Vliet, Jr., and Captain Stewart while detained as prisoners of war at Oflag 64?" That has nothing to do with the original Van Vliet report? That is not referring to the original report that he signed?

General BISSELL. That is not the report that Van Vliet dictated in Washington.

Mr. MITCHELL. May I put that in as an exhibit?

Chairman MADDEN. Mark that as an exhibit.

Mr. MITCHELL. Exhibit No. 4.

(The document referred to was marked "Exhibit No. 4" and made a part of the record as follows:)

EXHIBIT 4

[Confidential]

JUNE 9, 1945.

MY DEAR GENERAL BISSELL: The receipt is acknowledged of your letter of May 25, 1945, concerning the report that Lt. Col. John H. Van Vliet, Jr., and Captain Stewart while detained as prisoners of war at Oflag 64, received from the protecting power a letter dated about October 1943, seeking information whether these officers had been required by the German authorities to visit Katyn. You ask the Department to verify whether a copy of such a letter together with Colonel Van Vliet's reply thereto is of record in the Department of State.

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In February 1944, the Department was informed that Colonel Van Vliet and Captain Stewart had been transferred to Oflag 64, and that the Swiss inspector at the time of the next visit to that camp would endeavor to obtain the information desired. No further communication regarding the matter has ever been received in the Department. In the circumstances it is considered likely that Colonel Van Vliet's reply may have been intercepted by the German authorities and never forwarded to the appropriate officials of the Swiss Government.

Sincerely yours,

JULIUS C. HOLMES, *Assistant Secretary.*

Mr. MITCHELL. I would like to have the Army supply the original, if they have it, please. This is a copy.

Chairman MADDEN. Yes, we would like to have the original.

Mr. SHACKELFORD. Yes, sir; we will be glad to supply you with whatever we can.



Mr. DONDERO. General, did you in your official capacity receive any information from any source affecting the credibility of Colonel Van Vliet or Captain Stewart?

General BISSELL. That is in the next paragraph or two, and that is the reason for my action, in order to get some basis on which to evaluate the report they made to me by the only thing I could pin down as a yardstick to measure the accuracy of his memory which I thought was splendid.

Mr. DONDERO. I want you to know of my personal interest in this man, because Captain Stewart was my personal appointee to West Point.

General BISSELL. I am glad to know of your interest.

The State Department reply was very significant. It made it very clear as early as September 1943, months before I was appointed G-2, the State Department had reports of the visit of Colonel Van Vliet and Captain Stewart to Katyn. They say so.

Mr. MACHROWICZ. That should not be very surprising to you. The whole world knew it. The Germans broadcast it.

General BISSELL. They never broadcast the thing about the Van Vliet visit. They said that American and British personnel, I think, had been taken there or would be taken there, but no names were mentioned in anything I ever saw or know about. I can be wrong on this. There is an awful lot of stuff that did not reach G-2 on this matter.

Mr. MITCHELL. To clarify that point, sir; Colonel Van Vliet in his testimony in part 2 specifically set forth, and so did Captain Stewart when he testified, that to their knowledge their names had never been revealed by the Germans about their visit to Katyn.

General BISSELL. It is also clear that the instructions from our State Department to the American Legation at Bern was responsible for the letter Colonel Van Vliet stated he had been given by the Swiss protecting power about October 1943, because the questions Colonel Van Vliet said were in the letter he received are almost exactly the questions our State Department had directed our Bern Embassy to submit. The slight difference in phraseology was probably due to the requirement for paraphrasing anything that had been sent classified, so that your code cannot be touched by putting it out afterward for somebody who had copied the code.

The channel through which the questions reached Colonel Van Vliet was the one our State Department had directed to be used by our Bern Legation, and the time factors fitted perfectly. Our State Department instructions issued in September 1943 apparently had resulted in the delivery to Colonel Van Vliet while he was a prisoner at Oflag 64 of the questions our State Department wanted answered. Colonel Van Vliet stated that he replied to them. Unless Colonel Van Vliet was in error, either as to the date he gave, about October 1943, or about where he was then held prisoner at Oflag 64, the information that our State Department received in February 1944 reporting his transfer to Oflag 64 could have had no possible bearing on the delivery of Colonel Van Vliet's reply, as he had actually received the letter at Oflag No. 64 and answered it 4 months earlier.

Also significant is the State Department's conclusion that the reason no reply was received from Colonel Van Vliet was that it was con-

sidered likely Colonel Van Vliet's reply may have been intercepted by the Germans.

Mr. MACHROWICZ. I am going to have to interrupt you again, because I am interested in this whole situation, and I think the members of the committee are. I am trying to tell you I am very much confused. What was the significance of that letter?

General BISSELL. I read this part of it here.

Mr. MACHROWICZ. What was the significance?

General BISSELL. State was proceeding on the theory he had never received their letter.

Mr. MACHROWICZ. Whose letter?

General BISSELL. This letter sponsored by the Bern Legation. State had sent word to Bern to have the Swiss Protecting Power get a letter to Van Vliet asking questions.

Mr. MACHROWICZ. What has that got to do with the matter we are investigating?

General BISSELL. If Colonel Van Vliet had answered that at the time, and I could get my hands on the answers then, I could compare all or part of them with the statement he made to me 2 years later to measure his memory, his veracity, or anything else. I did not question them, but I had that job as a responsibility to do.

Mr. MACHROWICZ. What is the significance?

General BISSELL. The significance is that the answer State gave me that he had changed prison camps had nothing to do with it because the letter had reached him and he had replied, according to his statement, so the change of prison camps had nothing to do with it.

Mr. MACHROWICZ. I frankly say I am as much confused as I was in the beginning.

Mr. DONDERO. Perhaps I can answer my colleague from Michigan by saying I think the significance is that the State Department and the Government here knew about this thing long before Colonel Van Vliet's report.

Mr. MACHROWICZ. Certainly. So did the Department of Defense in 1943.

General BISSELL. But we didn't know Van Vliet's part in it.

Mr. MACHROWICZ. Neither did the Department of State, as you say.

General BISSELL. They did.

Mr. MACHROWICZ. They didn't know what he had to say.

General BISSELL. No; but they knew he had been there.

Mr. MACHROWICZ. That is right. It is up to the Department of Defense to get a statement.

General BISSELL. We didn't know about it. We were not asked to get such a statement. This is the State Department's job in time of war?

Mr. DONDERO. They were contacting these two prisoners through the delegation in Switzerland.

General BISSELL. Yes. They acted as American Government representatives as a neutral close to Germany.

Also significant is the conclusion that the reason no reply was received from Colonel Van Vliet was that it was considered likely Colonel Van Vliet's reply may have been intercepted by the Germans. Assuming that the Germans had intercepted the Van Vliet reply that Russia was guilty of the Katyn massacre, as Germany had stated to the world, and assume that Germany was innocent, is it reasonable

that, if innocent, Germany, who had gone to such trouble to take Colonel Van Vliet and a sizable party to Katyn for the very purpose of having them report German innocence to the world, would not allow a letter from Colonel Van Vliet accomplishing such purpose to reach the United States?

Mr. MACHROWICZ. Do you claim the letter was received by the Swiss; that it was not intercepted?

General BISSELL. I don't know. It is a funny reason to give.

Mr. MACHROWICZ. You don't claim it was received; do you?

General BISSELL. No; I don't claim State got any answer back.

Mr. MACHROWICZ. You don't claim that Department of State received this information?

General BISSELL. No.

Mr. MACHROWICZ. What is it you claim?

General BISSELL. I don't believe that the reason they gave for not receiving it—that Germany intercepted it—was sound.

Mr. MACHROWICZ. What has that got to do with this?

General BISSELL. Because I am still trying to get Van Vliet's report to check it.

When the June 9, 1945, reply to my May 25, 1945, letter to State Department was received, the question naturally occurred: Why had State not made further effort to secure reply from Van Vliet? State knew about the Katyn massacre. The State Department did not say specifically that the September and December 1943 attempts were the only attempts they made. They might have made other attempts without tangible results. I considered it purposeless to follow this aspect of the matter further because I believe that State had been furnished Colonel Van Vliet's report on May 25, 1945.

Mr. MACHROWICZ. Because what?

General BISSELL. I believe that State had been furnished the Colonel Van Vliet report on May 25, 1945.

Mr. MACHROWICZ. Which report are you referring to?

General BISSELL. The one made in my office.

Mr. MACHROWICZ. Did you not tell me this morning you cannot state they received it?

General BISSELL. But I believe they did.

Mr. MACHROWICZ. You believe they did?

General BISSELL. Let us get straight. What I believe is one thing, and my positive knowledge is another. I believe that they had received it because it was my intention to get it there or to another place.

Mr. MITCHELL. Where was the other place?

General BISSELL. The other place was the War Crimes people.

Mr. MITCHELL. You stated this morning that you had discussed this matter with Mr. Frederick Lyon. Is that correct?

General BISSELL. I said I either mentioned it to Mr. Lyon or Mr. Holmes.

Mr. MITCHELL. Over the telephone or in person?

General BISSELL. I spoke to Mr. Lyon only on the phone. On the other hand, I saw or talked to Mr. Holmes twice at approximately the same day. We had a very hot matter in the Argentine, and I was dealing with both of them at the same time on it.

This is off the Katyn thing a little bit, but I think it is all right, because it is not classified any more.

Mr. MITCHELL. I would like to know what were the names of the people designated by State to be liaison with the G-2 when you were the Assistant Chief of Staff, G-2. What were the names of those individuals from the Department of State?

General BISSELL. The two that worked with me most closely were Mr. Holmes and Mr. Lyon.

Mr. MITCHELL. Anybody else at this time that you care to mention? Are there any other names?

General BISSELL. Not that have a bearing of any nature in connection with Katyn.

Mr. MITCHELL. In other words, you are now saying for the record at this time that there were no other individuals in the Department of State to your knowledge that had any bearing on the Van Vliet Katyn report?

General BISSELL. I believe that is correct.

Mr. MITCHELL. You are sure?

Mr. MACHROWICZ. I want to pursue that line because it is important. I think it is important to you and it is important to us all as Americans, because if the Department of State received a report which it denies receiving we want to know. Is that not right?

General BISSELL. That is right.

Mr. MACHROWICZ. You told me this morning that you cannot say that you forwarded that report.

General BISSELL. No.

Mr. MACHROWICZ. Now, as I understand you, you want to qualify it by saying, although you cannot say you sent it to the Department of State, you believe you sent it.

General BISSELL. I thought I had.

Mr. MACHROWICZ. You still think you did?

General BISSELL. I don't know where it is, and it is pretty difficult to pin it down.

Mr. MACHROWICZ. You are not much help to this committee.

General BISSELL. I am telling everything I know about people running down details that in my opinion don't hit it too closely that bear on it. If I give you too much, stop me.

Mr. MITCHELL. General, there is one other question. I asked you a minute ago who were the people designated by the State Department with which you did official business in connection with G-2 matters that State should know about in the line of command or anywhere else?

You told the committee here this morning and again now that the two are General Holmes and Mr. Lyon. Is that correct?

General BISSELL. That could know anything about the Katyn matter?

Mr. MITCHELL. That could know anything about the Katyn massacre.

General BISSELL. I don't think so.

Mr. MITCHELL. Who were the individuals in your own organization who had liaison with the Department of State who might know anything about the Katyn matter?

General BISSELL. Many, many.

Mr. MITCHELL. I mean officially designated by you as head of G-2.

General BISSELL. A man named Dillingham, a colonel at that time

or lieutenant colonel, was my liaison man to handle hot wires that came into State. If something came in among their stuff that required military consideration or action, he was there watching. I don't think he knows a thing about Katyn.

Mr. MITCHELL. I specifically nailed my question down, General, to who in your Department was designated to liaison with the State Department who might know or have any knowledge of the Van Vliet report on Katyn.

General BISSELL. No one.

Mr. MITCHELL. No one but yourself?

General BISSELL. I think that is right.

Mr. MITCHELL. You are sure?

General BISSELL. I think, as far as Katyn is concerned on this particular deal, yes, sir; I think that is right. But I had many contacts in the State at every level.

Mr. MITCHELL. At this time will you tell us now who in your Department had knowledge of the Katyn matter?

General BISSELL. Mrs. Meeres and an officer who today was confirmed to be Lieutenant Colonel Lantaff. I knew someone in my office handled it, but I could not tell you which one. His handling of it was not to be present when anything was being made but in connection with the papers.

Mr. MACHROWICZ. You do not mean those are the only two people in your department that had knowledge of Katyn?

General BISSELL. I believe they are. Colonel Van Vliet's arrival and his procedure was not the routine.

Mr. MACHROWICZ. I can assure you you are wrong. I am not guessing at it. I am stating you are wrong.

General BISSELL. I will try to think hard and see.

Mr. SHEEHAN. You said the Katyn matter. Do you mean the Van Vliet report?

Mr. MITCHELL. I said the Van Vliet report on the Katyn affair.

General BISSELL. I thought you were exploiting his question or expanding it. That is not so. Lots of people had heard of Katyn. Loads of them. The whole Polish Liaison Section. We had Poles accredited to us who came to G-2.

Chairman MADDEN. Everybody knew about Katyn after it was broadcast and the bodies were found. So, that is not so important.

Mr. MITCHELL. General, I think you missed the point of my question. The question I want to get across is: Who in your staff, as the head of G-2, did you specifically designate to take this matter up with the Department of State or any other agency of the Government?

General BISSELL. I did not designate anybody in my office to take it up with the Department of State.

Mr. MITCHELL. Then you personally handled the matter yourself?

General BISSELL. As far as I can recollect. When I say "handled it," I mean I handled the direction to be given and what was to be done.

Mr. MITCHELL. Then, if you say you "handled it," you must have directed somebody to do something about it.

General BISSELL. That is right.

Mr. MITCHELL. Those are the names I want.

General BISSELL. I directed someone, who from this morning's testimony I believe to be Colonel Lantaff, to secure a proper room where this dictation could be handled.

Mr. MITCHELL. We know that.

General BISSELL. To brief Mrs. Meeres, who was doing her first job in my office. I think that is about the end of the story.

Chairman MADDEN. General, is it something unusual while you were connected with this assignment over there for a report of this kind coming in dealing with the massacre or murder of over 4,000 soldiers? That was unusual?

General BISSELL. It was unusual from beginning to end.

Chairman MADDEN. And you were in complete charge of that office?

General BISSELL. I am responsible for everything that my people do.

Chairman MADDEN. You just testified that to your knowledge there could not be over two people in your office under your supervision connected with the Van Vliet Katyn report.

General BISSELL. That is right.

Chairman MADDEN. That report that was made by Colonel Van Vliet was quite important in your mind?

General BISSELL. That is correct.

Chairman MADDEN. With this responsibility that you had, and as your testimony showed, it was completely unusual, a case of this kind. You testified this morning that you could not say whether or not the Van Vliet report was ever delivered to the State Department.

General BISSELL. That is correct, sir. I cannot say that.

Chairman MADDEN. Do you not think, considering the background as you already have testified, that that would be very much on your mind to see that a report like that would be transferred over there if that was the place it should go?

General BISSELL. Yes, sir.

Chairman MADDEN. Why did you not know that it was transferred over there, if it was?

General BISSELL. Because I would have given instructions to have had something done, and I would not have personally been doing it.

Chairman MADDEN. Did you give instructions to have that done?

General BISSELL. I am positive I gave instructions.

Chairman MADDEN. To whom?

General BISSELL. I believe now I don't know. I think I could give you my story.

Chairman MADDEN. Just answer that. Whom did you give instructions to?

General BISSELL. I do not recall whether it was Congressman Lantaff, but if it was not—

Mr. MACHROWICZ. He said it was not.

General BISSELL. I know. If it was not, I don't know what other person.

Mr. MACHROWICZ. There was only one other person.

General BISSELL. She could not have done it. I don't know who actually got the instruction.

Mr. MACHROWICZ. Then there were no instructions given.

General BISSELL. That is not something I can swear to as a fact.

Mr. MACHROWICZ. That is the only possible logical conclusion that anyone can come to.

General BISSELL. That may be so, but I don't believe you are giving me quite the opportunity you desire. Katyn, although unusual, was unusual because Van Vliet, instead of coming in initially and reporting to the executive officer and being sent by him to the proper section, being handled as in every other case coming in, insisted on seeing me.

Mr. MITCHELL. Did he do that under anybody's direction? He said he had seen General Collins. He had seen other people over there. When he initially came to you, did he tell you he was sent there by anybody else?

General BISSELL. He did not, but he told me he had seen General Collins. He told me the others he had seen. He gave me a straight story, just about the way he told you here. I think he was right, but he did get an unusual handling of his case from that minute on.

Chairman MADDEN. Let me ask you this, General, considering your testimony that just Colonel Lantaff and Mrs. Meeres were the only two in your office connected with the Van Vliet report and that you might have told Colonel Lantaff to deliver the report to the State Department or you might have told Mrs. Meeres—

General BISSELL. No, I didn't tell her to do any such thing.

Chairman MADDEN. You might have told Colonel Lantaff, there would not be anybody outside of Lantaff you told?

General BISSELL. I don't think so.

Chairman MADDEN. Let us concede that you told Colonel Lantaff.

General BISSELL. All right, sir.

Chairman MADDEN. Considering the importance of this report dealing with the massacre of over 4,000 soldiers of our allies, had you told Colonel Lantaff, don't you think the most natural thing would be, as the head of this department, maybe the next day or the day after, to inquire from the colonel if that important report was delivered to the State Department?

General BISSELL. I don't think I would have done that.

Chairman MADDEN. Don't you think the colonel would have come back and stated to you, as his superior officer, that he had carried out your instruction?

General BISSELL. He would not do that, because I would take it for granted. I knew he would carry out instructions. The only thing I would have done under the situation you paint there, if I had questioned the delivery of that, I would have asked Holmes if he got it. That is the point.

Chairman MADDEN. Colonel Lantaff testified this morning that there was never any order given to him at all to deliver the report.

General BISSELL. The only instruction apparently I gave Colonel Lantaff was to secure, after securing the report, a place for the report to be dictated and the briefing of Mrs. Meeres.

Mr. MACHROWICZ. Are you not contradicting your own testimony?

General BISSELL. Colonel Lantaff, I think—I have never talked with him, I never saw him since he left G-2 until he came in this room this morning, so that there is no suggestion coming from him, and I would accept anything he said that he would swear to as being true. He would not need to swear to it, if he said it. I think he is confused on what happened to the report, as I am confused on what happened to it. He cannot tell us how it went out of the room, and he



does not know whether he got it back or not. He did reply that he read it in the preparation stage. That could have been done. There is a strong feeling in my mind that Van Vliet started one day and finished another and that the notes had to be put up overnight, and the colonel indicated that was the case because he put them up.

Mr. MACHROWICZ. That is not what the colonel says. Colonel Van Vliet said he finished the statement in 1 day.

General BISSELL. The Congressman, not Colonel Lantaff. Colonel Van Vliet says in another place he does not know whether he stayed over another day or not. If he had completed it the first day, there would have been no reason to put away stenographer's notes that night or anything else or to come back and get the papers the next day if he had brought them to me that day. I might have been busy. He might have tried to.

Chairman MADDEN. Did anybody ever telephone you or call up or come into your office after the report was signed by Van Vliet regarding the report, did a telephone call come in to request to read it or anything?

General BISSELL. No.

Chairman MADDEN. Not a person communicated with your office regarding it after it was signed?

General BISSELL. No, sir, I don't think so.

Chairman MADDEN. When did you decide to send it to the State Department then?

General BISSELL. My intention had been to have it go to the State Department at once and whether it went, I don't know, as I have said.

Mr. MACHROWICZ. Let us stick to that now, because you have made some very serious and unwarranted inferences which are not at all in accord with what you are saying right now.

General BISSELL. If I had not pointed out these things, I think I would not have given you all I know on the matter.

Chairman MADDEN. Was it the next day you sent it to the State Department or the week after or a month?

General BISSELL. It would have been done either on the 24th or 25th, that it would have gone from the office, had it gone to the State Department.

Chairman MADDEN. Why do you say it would have gone then?

General BISSELL. Because on the twenty-second, the date that Colonel Van Vliet saw me, there could not have been time in my opinion to have processed it, and I saw Colonel Van Vliet on two different occasions.

Chairman MADDEN. You thought it was so important that you immediately sent it over to the State Department the next day?

General BISSELL. And I think it was not ready to go the next day, but it would have been ready the following day.

Chairman MADDEN. And the following day you sent it over?

General BISSELL. The twenty-fifth, I think; if it ever went from G-2 to State, it probably left G-2 on the twenty-fifth.

Chairman MADDEN. You don't know whether it went at all or not?

General BISSELL. That is right.

Mr. MACHROWICZ. In your letter to Mr. Lyon you state as follows:

DEAR MR. LYON: Transmitted for the information and the file of the State Department is report on Katyn by Stanley S. V. Gilder, Captain, British Medical

Officer. This report supplements the statement of Lt. Col. John Van Vliet, Jr., forwarded to General Holmes on May 25, 1945.

General BISSELL. Written by Mrs. Meeres.

Mr. MACHROWICZ. Signed by Clayton Bissell.

General BISSELL. I did not put in that date.

Mr. MACHROWICZ. What date?

General BISSELL. That it was forwarded on a certain date. That was from something that was found in the office or something of the kind. I did not put that in.

Mr. MACHROWICZ. You signed the letter.

General BISSELL. I signed the letter, and when I dictated it, I dictated the first paragraph and then I said, "It is the Colonel Van Vliet report, and get the dope on the thing and send it in."

Mr. MACHROWICZ. For your information, that only contained one paragraph.

General BISSELL. That is the second thought. The first thought, here comes a letter, and the second thought, compare it with another thing.

Mr. MACHROWICZ. I will read it to you again:

DEAR MR. LYON: Transmitted for the information and the files of the State Department is report on Katyn by Stanley S. V. Gilder, Captain, British Medical Officer. This report supplements statement of Lt. Col. John Van Vliet, Jr., forwarded to General Holmes.

General BISSELL. That is the way I remember it. There were two sentences. The first one I dictated straight out and I left the following thing blank.

Mr. MACHROWICZ. Are you inferring that you as commanding officer, G-2, signed a letter in blank with your secretary filling it in?

General BISSELL. It was filled in.

Mr. MACHROWICZ. Was the date in there, May 25?

General BISSELL. The date was filled in.

Mr. MACHROWICZ. What was not in then? You signed the letter, and May 25 you forwarded it.

General BISSELL. When I signed the letter it was exactly the form in which you read it. When I dictated I dictated what I could, out of my head, I think in August.

Mr. MACHROWICZ. August 25.

General BISSELL. I could not have pulled that date out of my head after all that had been happening, with accuracy.

Mr. MACHROWICZ. How do you account for the fact that you stated in your letter you did forward to General Holmes the Colonel Van Vliet report?

General BISSELL. That was my belief at the moment of what had happened. They went back to the files apparently and got something to set that date up for them. The one that did it I think is Mrs. Meeres.

Mr. MITCHELL. Where is that letter or a copy of that letter today?

General BISSELL. Isn't that one of those you have here?

Mr. MITCHELL. I am not referring to this. I am referring to the letter where you got the date May 25, 1945 from.

General BISSELL. I did not personally do that.

Mr. MITCHELL. Just a minute, General. You stated to Mr. Machrowicz 1 minute ago that you could not recall this date, so you dictated all the other data that is in this to the best of your knowledge.

General BISSELL. That is right.

Mr. MITCHELL. Then you probably said, as many men do to their secretaries, "Find out when I transmitted that over to General Holmes." She inserted this date 25th of May 1945. If she could find that on August 21, 1945, why can't we find the same copy of the transmittal today?

General BISSELL. That is what I would like to know. Also, I think it is very significant because that is what I believed at that particular time and put in writing and I didn't do it myself.

Mr. MACHROWICZ. That is what you would like to find out and that is what we would like to find out. You are inferring the fault lies with the Department of State. If those letters were lost, they were lost in the Department of Defense, is that right?

General BISSELL. I don't know where they were lost.

Mr. MACHROWICZ. They never got out of the Department of Defense.

General BISSELL. I don't know whether they did or not. Why would we have that kind of letter written in my office if it had not gone out.

Mr. MACHROWICZ. I mean the original report of Colonel Van Vliet.

General BISSELL. That is what I am talking about, too. Why would I have referred to it by date if I didn't believe it had gone out? And why if it had not gone out didn't State, when they got the letter, call me up on the phone: "How about this thing, we haven't got that."

Mr. MACHROWICZ. You are inferring you would have let an important document go out without some receipt?

General BISSELL. I never got a receipt from anybody on anything in G-2. I had people who did the receipting for me, and a section in my office to process in and out those documents. So far as my particular section of the G-2 office is concerned, we had Colonel Lantaff's group who did it for me. I never signed one in, I never signed one out. When I got through with a communication, it went in my out basket. Those people who were cleared for top secret information brought me in masses of stuff every day. I acted on it and put it in the out basket.

Chairman MADDEN. Did they ever bring you in masses of material that pertained to the killing of 4,300 soldiers?

General BISSELL. At that time I didn't know and do not know today exactly how many were killed.

Chairman MADDEN. You should not classify a report of this importance with the thousands of little details that come in and out of your office. This was an extraordinary, an important event, as you testified.

General BISSELL. I was very concerned all of this particular time with events that were even more critical to America's war with Japan, and this was not going to help win the Japan war one bit except in a different way. And that was the reason I was so careful about this thing.

I have a lot of stuff here, and I will spoil it by breaking it up piecemeal. The UNO conference was one. I had been on there the previous week. Our No. 1 objective, other than defeating Japan at that time, was to get a UNO going. We didn't know whether we could get the Russians to come in.

Chairman MADDEN. You wanted to maintain friendship with the Russians.

General BISSELL. That was the policy of our Government.

Chairman MADDEN. Was that why the report disappeared?

General BISSELL. No, sir, it was not why. I don't know what report you are talking about on that. That is a fast one. I cannot tell you a thing about that.

Mr. DONDERO. Mr. Chairman, I think I ought to enter this. I notice that my colleague from Michigan, who is critical of your testimony, even referred to a letter with one sentence in it when there were two in it, and the letter was right before him. So it shows the fallibility of human nature.

I want to ask this one question: General, at the time you had this Katyn massacre subject before you, were you handling other matters for the Government in your department?

General BISSELL. Vast numbers.

Mr. DONDERO. You had other items around the world in relation to the war which we were then in, is that correct?

General BISSELL. That is right. I told you I came up to this body, busy as I was, to testify to them about subversive activities in the service.

Mr. DONDERO. The Katyn matter was only one of the items that came across your desk?

Chairman MADDEN. It was the only massacre you had.

General BISSELL. That is not so. It was the only one of that magnitude. No; it is not so. I was receiving at the same time that the Colonel Van Vliet report came in, the very time, the Dachau and other German concentration-camp things where they had wholesale massacres that make this thing look insignificant. It numbers nearly a quarter of a million that went through Dachau. And there were Poles in that, lots of them. My driver yesterday taking me from the station was a Pole whose father was killed in that thing, and who spent as a child, until he got old enough to come to the United States, his time in Dachau from 1943 on.

The Japanese balloon thing was cracking on us. We were having a devil of a time to get the press to hold it. We had had the fatalities in Oregon. We didn't want the American people to know what was happening in that thing, and, more than that, we didn't want the Japanese to know how successful they were. I was busy trying to keep that one from bursting in the press. I had that on my mind. The same day, when I was out on the trip, I had the Minneapolis newspapers on me and came back here and got Price together with others of the group that was concerned with it on how we would handle that particular thing. I was preparing something for General Marshall to Field Marshal Maintland-Wilson at that particular time. If I rack my memory, I can show you that the Van Vliet visit took 30 minutes one day and less the next, on days like I had been working for many months from 7 a. m. until late every night and Sundays, on everything in the world. I had flown 14 or 15 hours on one day in connection with this trip, getting in here to meet Colonel Van Vliet. I didn't know he was here.

I would like to add just one more thing. Colonel Lantaff is just as honest as can be, but he said that Mrs. Jepson was in the office and I had loaned Mrs. Jepson to UNO and she was working out there

on that thing. And another lady, whose name slipped his memory, I am sure Mrs. Bryant, was the secretary on duty. He didn't tell you anything wrong. He told you what he believed and remembered. He just overlooked the fact we did loan her out there and she was not yet back on duty in my office at the time.

Mr. MITCHELL. Mrs. who?

General BISSELL. Miss Bryant. She is now married and living down here near Hollis some place.

Mr. MITCHELL. Was she married at that time?

General BISSELL. No.

Mr. SHEEHAN. General, I have a series of questions; so if you will be patient with me, because some of them might be a little rehashing of something that has been said, and I do that for the purpose of getting away from the general discussion, so that it will come out and be either clarified or amplified.

Number one: Mrs. Meeres in her testimony stated that top-secret reports usually are corrected and retyped, and, as you yourself said, Colonel Lantaff read this report in the preparation stage. Why wasn't that report handled this way?

General BISSELL. My intention was to have it produced in what we call draft; bring it out in draft. That usually means that a thing is typed on long sheets, double or triple space, just the original impression. Then it is corrected and modified and you do not send a dirty copy out, so a retyping is essential. That is what I thought would happen in this case, because I thought when Colonel Van Vliet got his dictation down and Mrs. Meeres knocked it out the first time, she would have misunderstood or misspelled or done a number of other things. They would then bring it in to me and we would talk about it and I would see if there were any other errors or omissions I could ask him about that might help him and then it would be retyped.

Mr. MITCHELL. Right at that particular stage, was this rough draft ever converted into an original final draft?

General BISSELL. No, sir.

Mr. MITCHELL. Was there ever a top secret number given to the Van Vliet report?

General BISSELL. That I would not know, because I didn't handle that myself. That was done in Colonel Lantaff's office.

Chairman MADDEN. I suggest that Mr. Sheehan continue his questions.

Mr. SHEEHAN. I had yielded to the gentleman for that purpose.

In other words, once you determined a document was top secret, you turned it over to Colonel Lantaff or someone else in the office for the classification?

General BISSELL. For the handling in accordance with instructions that were standard throughout the General Staff.

Mr. SHEEHAN. In other words, the mere fact that this top-secret document was not handled that way is no fault of yours because you turned it over to your subordinates?

General BISSELL. No; it is partly correct and partly not. That is the way I wanted it typed up the first time and that is the way I expected Van Vliet to bring it to me, and that is the way it was brought to me. The only thing corrected in it was maybe a word or two and it was not necessary to have a rewrite and it was not rewritten. It was a very good job, that report.

Mr. SHEEHAN. Colonel Van Vliet stated that on May 5, 1945, he showed photographs of the Katyn massacre to a G-2 officer of the One Hundred Fourth Infantry stationed overseas. Do you recall any report at all on this instance coming into your office?

General BISSELL. I never heard of that except when Colonel Van Vliet told about it.

Mr. SHEEHAN. I understand that a Col. Thomas Drake, who was a senior American officer at Oflag 64 and was repatriated because of stomach ulcers in 1944, that he made out reports on the Van Vliet and Captain Stewart testimony and sent a copy of this report to G-1, G-2, State Department, Secretary of War Stimson, and to Mr. Lauchlin Currie, care of Mr. Roosevelt. Did that G-2 report ever come across your desk?

General BISSELL. I never heard of that phase of it. The only thing I know is what Colonel Van Vliet told me and what is in his testimony to you.

Mr. SHEEHAN. As far as you know, it never came to your attention?

General BISSELL. I don't know anything about it. That would have been before my time, you understand.

Mr. SHEEHAN. No; you said you came in there in 1944.

General BISSELL. I came in 1944, and that was done when?

Mr. SHEEHAN. Colonel Drake was repatriated late in 1944, which means he arrived in this country in late 1944 or 1945 to make out these reports.

General BISSELL. My impression was that Colonel Van Vliet had said shortly after he got back he talked to Colonel Drake on it.

Mr. SHEEHAN. That is right; but he was not repatriated until a year later.

General BISSELL. I don't know about that. All I have is what is in the Colonel Van Vliet report and what he may have mentioned to me.

Mr. SHEEHAN. In classifying a document top secret, after your underlings had done so—

General BISSELL. I don't call them that—my helpers.

Mr. SHEEHAN. Let us call them subordinates—or any other phase of secrecy; do the Army Regulations prescribe for any logging or entering of this in the log book in your office?

General BISSELL. Yes, sir.

Mr. SHEEHAN. Was that done in this case?

General BISSELL. I don't know, because, as I said, I never went back to those. I asked if it was in the log when I was working for—I don't believe I asked. I think you did the asking on that; I suggested to you, Mr. Shackelford, that you have the log checked.

Mr. MITCHELL. Who in your specific office had charge of your log?

General BISSELL. I think Congressman Lantaff was the senior, and that Earman was the next, and they both had to do it because my hours were longer than theirs.

Mr. SHEEHAN. Counsel, I think the chairman should instruct you to check with the Army to see if that thing was logged any place.

Mr. MITCHELL. I believe you have it right there.

Mr. SACKELFORD. We have checked the logs in regard to that, as well as the receipt books. That was the part of the careful search that was made by the inspector, and with negative results.

Mr. MITCHELL. Congressman Lantaff this morning said that anyone in the G-2 immediate staff offices might have access to your personal safe. Is that correct or is that incorrect?

General BISSELL. It depends on what he says—

Mr. MITCHELL. What I would like to have you answer is how many people of your immediate staff had access to your safe.

General BISSELL. The safe that he described as my personal safe was described in that category because in it was a single drawer which had my personal things like invitations, and so on. It was a classified routine safe in the G-2 office. Now, the safe he did not mention was in my office. And in my office, let us get straight, too, because that is causing a lot of trouble, I had an office in which I worked, a big room. On one side was my deputy, on the other side was Colonel Lantaff, Colonel Earman, normally Mrs. Jepson, and Mrs. Bryant, and a man named Carulli. They were in my immediate office. They were all cleared for top secret, and they all know between them if it was added up, everything I do. So if I were to be hit by a car crossing the street, there is enough there to carry on. But I tried hard to keep more people from knowing about important things than needed to be. So I didn't try to let all of them know everything and they worked better. They were better on the things that each one remembered.

Now, the G-2 office is directly spoken of to include the chief, the deputy, the deputy's stenographers, and this little group that I told you. However, my office, that is just one room, and I am in there by myself. When I want a secretary, I call for her. They worked outside because all the stuff that I talked about was highly classified, or maybe General Marshall came in or General Handy, during which we would discuss some action, and it would be settled. Anybody might come over. The Secretary of the Treasury has visited me there, any number of people on all kinds of matters. So I had to have a place where there was no one in their hair, they could talk freely.

Now, in my little office I might be called to General Marshall's office and he would say, "Come on up here." We had a squawk box. He was a crackerjack man to work for. When I ran, if I had things on my desk that were classified, and there usually was nothing else, practically nothing unclassified came in, I just picked up my basket. I had a three-combination, two-drawer safe, and I dropped the basket complete in there, flung the combination, checked it, took down the red sign that the safe was open that we had on every safe there and put it on top and was on my way, usually hollering when I went through I was on my way to General Marshall's office. That safe is my personal safe. No one in my office knew the combination of that safe except my deputy, General Wackerling.

Mr. MITCHELL. Was the Van Vliet report we speak of put in that safe the night that Van Vliet completed it?

General BISSELL. No; it was never put there, so far as I know, because I didn't put my hands on the thing except to read it. They brought it in to me; I sat down; I gave Van Vliet a chance to correct it. He didn't want to make any corrections. It was not what you call authenticated in that there were a number of pages that were not initialed. I had him do that. I had him sit back in the



chair comfortably and I went through it. My reason for going through it primarily was to answer the question whether there was any discrepancy between this and what he had told me before, and it was a crackerjack report; there were no discrepancies. I then said, "This is to be classified top secret." I can't tell you whether Mrs. Meeres, Colonel Van Vliet, or myself actually did the top-secret stamp on the top and bottom of every page.

Mr. MITCHELL. Isn't it conventional when the secretary is doing rough draft to use the stamp "top secret" before handing it back to the individual from whom she took the dictation?

General BISSELL. Not if she kept it in her possession. She was not through with the report yet. However, she did say this morning that the envelope which had the notes taken out of her notebook—any spare piece of paper that was put in, that might carry the top-secret information, goes in the same envelope. Outside it is marked "Burn." And the officer oversaw the burning. I don't think you will find there are many leaks out of G-2. Maybe we have been too tight, but we never lose them. Nothing got to the public from G-2.

Mr. SHEEHAN. General, in these couple of days here in May when Van Vliet was in and you said you had thought—

General BISSELL. May 22.

Mr. SHEEHAN. May 21 to 25 when you had talked to General Van Vliet, if I remember correctly, you stated you did phone or you thought you phoned Holmes and Lyons in the State Department.

General BISSELL. Yes.

Mr. SHEEHAN. When you talked to any of these gentlemen or with Colonel Lantaff about the Van Vliet report did the question come up as to the political implication of this report at any time?

General BISSELL. The only reason I would have mentioned it to them at all would have been its political aspect.

Mr. SHEEHAN. Did they agree with you it was vital?

General BISSELL. No discussion occurred of the contents of the report at that stage.

Mr. SHEEHAN. You are talking about the political implications?

General BISSELL (reading):

There was a man here named Van Vliet who arrived yesterday and who has information on the political matter, the Katyn massacre, that we will send to you as soon as we get through with it.

Mr. SHEEHAN. You did not discuss the conclusions?

General BISSELL. No. It was only incidental to the talk on the other matter. I remember the other matter quite well. I will be glad to give it to you in executive session, but it has no bearing on Katyn whatever.

Mr. SHEEHAN. This might steal a little thunder from my colleague over there. This morning Congressman O'Konski asked you a question about whether or not any other documents had disappeared or were lost or strayed from G-2. I did not use the word "stolen" advisedly because the Army uses the word "compromise." As I understand it, from the MacArthur testimony, the eight colonels who sent a top-secret report from Japan or the Near East in which they tried to advise the administration of the danger of alining themselves with Russia in finishing off the Japanese war, I understand that report disappeared out of G-2. Is that right or wrong?

General BISSELL. Here is what I don't believe is fully understood and probably it is just as well that all the American people don't know about all of G-2, but if you didn't have some procedure for destroying set up with the mass of stuff coming in there, you could not get the people that would be required to keep track of it in the Pentagon. There goes on constantly in any large intelligence organization a sorting out and a reclassification and a destruction. At the end of the German war there was a period when that had to be done extensively. The German war had ended just a few days, a short time before General Van Vliet's arrival. He got liberated on the 5th of May. The war was over on the 7th, as I recall, the 8th, and this is the 22d. Now, also, at the end of the German war, by the plans arranged in advance, we were to start cutting down personnel drastically. The biggest fighting part of the war was over, maybe not the most difficult part, but the biggest fighting part. With that cutting down, your procedure of destruction is weakened because you try to let those people go who have come in from civil life and given you fine service in the order in which they want to go, in which they can get a job. If a fellow got a chance to leave and he was a good man, his boss wants him right now when the pressure is off. Those people we would let go. Others were cases where they didn't want to go so quickly, and we tried to be loyal to them, too. During the time I was there, this procedure and declassification, two things, must go on. You must destroy the things that are no longer necessary and current, and you must declassify down and down, as time passes.

Mr. SHEEHAN. The Japanese war was still on at the time?

General BISSELL. I don't know the instance you are talking about. I was asked some questions about a report of a number of colonels. They were not of MacArthur's staff. They were right here in Washington, that group, and I didn't know MacArthur's connection with it.

Mr. SHEEHAN. It came out during the MacArthur hearings that the Army G-2 was advised by the group of eight colonels.

General BISSELL. Yes.

Mr. SHEEHAN. Of the dangers of alining themselves with Russia. Apparently during the MacArthur hearings they thought this was a very vital document. When they went to look for it, they apparently could not find it because it was referred to G-2 and never found afterward.

General BISSELL. The way the story came to me was, "Can you tell us whether such a report was ever made to you?" Well, it might have been prepared; those people were in my office, but if they prepared such a report, it never came to me.

Mr. MACHROWICZ. That is the question I would like to know about, since you inferred that the Katyn matter was not so important because of the tremendous importance of the Japanese affair. Here is a report bearing exactly on the issue which you considered paramount now. Now you don't remember those eight colonels filing a report with you.

General BISSELL. I have talked to some of the eight colonels and they told me they never made such a report. I think you will have one here whom you may ask the questions.

Mr. MITCHELL. Was he one of the eight colonels?

General BISSELL. I think he is.

Mr. MACHROWICZ. Do you know Col. Truman Smith?

General BISSELL. Yes.

Mr. MACHROWICZ. Did you say Col. Truman Smith did not sign a report?

General BISSELL. I never got such a report as you described from him.

Mr. MACHROWICZ. At any rate the report is missing in G-2?

General BISSELL. I don't know if it ever left the office where it originated. I don't know anything about it, because I never saw it. Don't get the idea that we didn't appreciate that there was danger in the international political situation or danger in our alinement with Russia. We had had troubles with the Russians all through the war trying to help them and keep them out of our hair.

Mr. MACHROWICZ. I would like to know whether the loss of the Van Vliet report was not one of those attempts to help them.

General BISSELL. Do you want me to answer that question?

Mr. MACHROWICZ. Yes.

General BISSELL. So far as I am concerned, I would be on the other side of that fight for every inch that was of me. It did not, with my knowledge or my help, and I would like to say further that no person, not General Marshall, not the Secretary of War, Mr. Stimson, not any member of the General Staff or any member of the military profession or any member of our diplomatic or legislative or judicial or any other human, foreign or American, ever suggested to me what to do or what not to do with the Van Vliet report or anything connected with it.

Mr. MITCHELL. You are implying you did discuss it with these gentlemen?

General BISSELL. No; I did not. I said none of them ever mentioned it to me.

Mr. MITCHELL. How could they mention it if they did not know about it?

General BISSELL. Everybody knew about the Katyn affair.

Mr. MITCHELL. Yes; but you were talking about the Van Vliet report.

General BISSELL. I thought you might want to know that no one ever influenced my action in any way or tried to.

Mr. MITCHELL. How could they influence your action in any way if they didn't know about the Van Vliet report? You must have discussed it with these individuals.

General BISSELL. I did not, nor did they discuss it with me.

Mr. SHEEHAN. We have a lot of ring-around-a-rosy on this question as to whether or not the State Department got this document. I am not going to go into it because both Congressman Machrowicz and myself have had different variations of your answer this morning. I want to put a very short bald question to you, and you weigh it before you decide to answer it. The question I would like to ask is: Would you state it to be a fact that the State Department did receive the original Van Vliet report?

General BISSELL. Did?

Mr. SHEEHAN. Yes.

General BISSELL. No; I would not state it as a fact.

Mr. SHEEHAN. O. K.

On the other hand, he did state when he read the previous testimony from all the mail he got, the letters, that they referred to the Van

Vliet report several times, and he said someone should have asked him for it if they didn't have it.

Mr. MACHROWICZ. The answer is, he thinks they must have known about it, but he will not say they knew about it.

Mr. SHEEHAN. General, in your testimony you stated in drawing some conclusions that the facts show that the State Department had gone into the Katyn matter carefully.

General BISSELL. I told you how long they were at my letters, and how many places it had been. Somebody must have looked at it.

Mr. SHEEHAN. Would you state they were still going into it in 1945, because previously your testimony was they were trying to get it through the Swiss when he was a prisoner of war. Was the State Department still interested in that in 1945?

General BISSELL. I would have thought they should have been. Let me see now, 1945, certainly they would have been interested in it. They would have wanted anything we had gotten on that subject.

Chairman MADDEN. Did they ask for it?

General BISSELL. No. That was not going to influence the outcome of that war that we were fighting with Germany and Japan.

Now, I would like to make a point, and this is only—it is nothing that happened, but it is a consideration. Had there been evidence positive in the Van Vliet report that any particular nation had been guilty, rather than an opinion, and a conclusion formed in a statement by a man who says there is no single thing that proves it, just a combination of circumstances of the thing makes him believe it, it probably would have been of very much greater importance to me. But when I got through with Van Vliet's report I did not feel positive by any means that he was right. He had reached a conclusion. I did not feel at all sure he was right. I felt his statements were as he remembered them.

Mr. MITCHELL. Did you ever see the Kathleen Harriman report dated January 1944?

General BISSELL. No.

Mr. MITCHELL. You never saw it during the period January 1944 and May 1945?

General BISSELL. I never saw it at all. When you say the "Kathleen" you mean the one that Mr. Harriman would have sent in due to his daughter's visit?

Mr. MITCHELL. Correct.

General BISSELL. Whether that would have been his report or hers, I don't know. I have never seen the document anyhow.

Mr. SHEEHAN. Do you know it to be a fact that the State Department did receive the British report of Capt. Stanley Gilder on the Katyn matter?

General BISSELL. I think they have it.

Mr. SHEEHAN. I think you did testify this morning it was referred to you in G-2 and you sent it on to State.

General BISSELL. That is right. I would have to check my notes. I think there was an answer to that.

Mr. FURCOLO. You said the State Department stamp showed receipt?

General BISSELL. This is not the Gilder one.

Mr. SHACKELFORD. Mr. Sheehan, the State Department did receive the Gilder report.

Mr. SHEEHAN. They did receive it?

Mr. SHACKELFORD. Yes, sir.

Mr. SHEEHAN. Do or do you not know whether or not Gilder mentioned about Van Vliet in his report?

General BISSELL. Not positively. I know he said there were British and Americans in the party.

Mr. DONDERO. I think the record will show there were four people in the party, one from England and one from South Africa and the two American officers.

General BISSELL. But that did not say they were Van Vliet, as I remember.

Mr. SHEEHAN. The only reason I thought, if you did know that, that the State Department was informed in the Gilder report of Van Vliet, it would seem to me they would take the precautions to go to the Army to find out what the Van Vliet report was.

General BISSELL. Mr. Shackelford has been kind enough to show me the copy that was released by the War Department of the Gilder report, and it shows the name of Captain Stewart and Lieutenant Colonel Van Vliet in Gilder's report, a copy of which was contained in the War Department release on Katyn sometime ago under date of September 18, 1950. They published the Gilder report and the Gilder report says that Lieutenant Colonel Van Vliet and Captain Stewart of the American Army were in the party. So they did know from that.

Mr. SHEEHAN. In other words, the State Department knew in 1945 this was the proposition and yet apparently took no steps to run it down with the Army to find this report; otherwise you would have had correspondence?

General BISSELL. I would have had correspondence. I made that point.

Mr. SHEEHAN. I am trying to emphasize that here. I am going to ask that at this point in the record—you will have to check with Mr. Shackelford there whether it is a confidential report from the Inspector General on the search for the missing document—that Mr. Shackelford see to it that whatever security information is necessary to be deleted is deleted and I would like to have a couple of questions on it.

General BISSELL. I had intended to mention that and have done so under my authority in my notes here.

Mr. SHEEHAN. These are extracts now from this report in which I see no names, so I cannot say whether they are of confidential nature. Do you want to look at them before I recite them?

Mr. SHACKELFORD. Go ahead, Mr. Sheehan.

Mr. SHEEHAN. It seems to me in all candidness and all fairness to you that the Inspector General's report—I do not like to use the word "onus"—but seems to put the blame on you for the loss of this right in your office. I am going to read for you the three conclusions that the Inspector General has reached, and I think at this point in the matter you want to get yourself clear so that for the record it does not stay as a blot against you. Let me read the three conclusions:

No. 1, that the original Van Vliet report made to General Bissell on May 22, 1945, and coming into the latter's personal possession on May 25, 1945, has become permanently lost without trace or reasonable presumption as to its present existence or location.

No. 2, that there is no proof that this document ever left the office wherein it originated.

No. 3, that under the circumstances it must be assumed that this document has been subjected to compromise in the event that it was originally given a security classification.

In other words, the Inspector General says everything happened right smack in your office.

General BISSELL. Right. He says it came into my personal possession on May 25, and you had sworn testimony from Colonel Van Vliet, from Colonel Lantaff this morning and Mrs. Meeres this morning, that Van Vliet had long since been gone on the 25th, and that it came into my possession on a different date. I only mention that one small point because if one is in error, all of it can be in error. It is not all in error, but I mention that one point. The testimony of Colonel Lantaff and Mrs. Meeres this morning did not state that it came into my personal possession. They were very careful not to commit themselves. Since no one else knew of it, I do not know from what source such information could have been obtained, as no one else could know. The man who wrote this is honest and he would not have made that statement unless he had a reason for doing it. I think the committee might be interested in finding out just why he picked the 25th, because it would fit into the rest of this picture.

Mr. SHEEHAN. I think when the committee reads the entire testimony they will see his reasons for his conclusions.

General BISSELL. Right. I think he is correct that there is no proof that the document left the office wherein it originated. I think that is correct.

Chairman MADDEN. What office is that?

General BISSELL. My office, the office of G-2, War Department, and the Secretariat Section; not the rest of the office being responsible at all.

Chairman MADDEN. If I get that right, he says it is quite true——

General BISSELL. "That there is no proof that this document ever left the office wherein it originated." He found no proof. I think that is correct.

Mr. SHEEHAN. For our information, before you read further you might define what the Army means by that word "compromise" there.

General BISSELL. A document is compromised when its contents have become known to an unauthorized person. That is one definition. There are others. If a document is completely missing and you can't account for it, you immediately say it is compromised until you find out what happened to it, if anything. If you do not receive a document or you do not know what has happened to a document, or any break in the chain occurs, you immediately say it is compromised, to freeze everything on it and get right back on checking it. But it does not necessarily mean stolen. It does not necessarily mean an enemy has seen it. I will give you an illustration. We had one very close to the top of the Government during the war where a brief case of information disappeared. We immediately put that in a compromise status. It subsequently all showed up. It had not been seen by any unauthorized persons. We had another case where part of a plan for the supply of the operations on D-day showed up broken open in the post office in Chicago and we certainly compromised that in a hurry. It apparently had not reached any unauthor-

ized persons. When the matter was clarified, we didn't need to change the date of the landing. We went ahead with things.

Mr. SHEEHAN. In other words, it is like the Hiss-Chambers case which proves that papers and top-secret documents could have been copied, could have been photographed, could have been stolen, could have been lost, and any one of those things could have happened to it in the State Department. I assume the same thing could be true in G-2 or any other department of the Army.

General BISSELL. It is possible. We tried to be tighter there for several reasons: First, my office wrote the regulations. Now, that puts me in an odd position. The authority to write them implies the authority to change them or modify them. That gave me a little latitude. I tried not to take advantage of it. The top secret thing was born while I was in G-2 and I had to put out the instructions that governed at that time. They governed for 2 years, and then they were changed in 1946, sometime along there.

Mr. MITCHELL. You say that the classification or designation of top secret in 1944 was changed or originally put into being during that period of time?

General BISSELL. Prior to the issuance of the regulation—but the date I read you this morning is the right one, I would have to check my memory on it, because we have been throwing dates around here—March 15, I believe, approved by the Joint Chiefs of Staff approximately a month earlier and then passed over to the regular shops that put out the information. Here is the document that came out, Army Regulations 380-5, came out on March 15, 1944.

Mr. SHEEHAN. In other words, you were then establishing for the entire Army operations and Air Force—

General BISSELL. World-wide.

Mr. SHEEHAN. World-wide, including the Navy—

General BISSELL. No. Not the Navy.

Mr. SHEEHAN. The designation "top secret" for the first time?

General BISSELL. We were not doing it. The Joint Chiefs of Staff, by agreement with the Combined Chiefs of Staff, had done it for the British and ourselves, not only for the military services but for corresponding services working with them.

Mr. SHEEHAN. Now, will you read for the record, please, the designation of top secret as of the 15th of March 1944, if you have it in that pamphlet?

General BISSELL. Yes, I know it is in here.

(a) When classified "top secret," certain secret documents, information and material, the security aspect of which is paramount and whose unauthorized disclosure would cause exceptionally grave danger to the Nation, shall be classified "top secret." The following are examples of matter which normally will be graded top secret:

- (1) Plans or particulars of future major or special operations.
- (2) Particulars of important dispositions or impending moves of our forces or convoys in connection with (1) above.
- (3) Very important political documents dealing with such matters as ally alliances and the like.
- (4) Information of the method used or success obtained by intelligence services and counterintelligence service or which imperil secret agents.
- (5) Critical information of new or improved munitions of war, including proof, scientific, and technical development.
- (6) Important particulars of cryptography and cryptanalysis.

Mr. SHEEHAN. This would fall in classification (3)?



General BISSELL. That is right.

Mr. MITCHELL. I would like to ask a specific question on that point. Will you explain to the chairman and the members of this committee why and to what extent the Van Vliet report fell into the category of top secret in May 1945, which was after Germany had surrendered, I believe?

Mr. DONDERO. Germany surrendered on May 8.

General BISSELL. We had had the Yalta Conference. You have me on a barrel now. I don't know how much of Yalta has been declassified. At the time I left the services, part of it was not. I don't know whether what I had intended to answer is declassified. Does anybody know?

Mr. MACHROWICZ. You had better check before you make the answers.

Mr. MITCHELL. Is Mr. Shackelford the one to check with in regard to the Yalta?

Chairman MADDEN. I might state that Russia has already declassified Yalta.

General BISSELL. That does not quite hit what I am talking about. I would like to answer, but I am afraid I am caught on it at the moment.

Mr. SHACKLEFORD. Or he will answer in executive session in the event it is still classified by State.

General BISSELL. There is nothing I want to hold from you. It is just that I am a little hamstrung by the letter I got.

Mr. MITCHELL. I want to know why the Van Vliet report on the 22d of May 1945, after Germany had surrendered on May 8, 1945, was classified "top secret" and what its importance or significance was that it had to be so classified as "top secret."

Mr. MACHROWICZ. I think probably the statement made by the witness is a justifiable statement that the answer to that question should be withheld until he has an opportunity to find out whether it is declassified or not.

Mr. MITCHELL. Let the record show that question will be taken up later, please.

Mr. SHEEHAN. In your capacity as head of G-2—and I think this is a little before your time, so you might have to get the time element—did you ever hear of or see Colonel Szymanski's report on Katyn? He was a military attaché in 1942 and 1943, I believe, and was sending reports, G-2 reports in.

General BISSELL. I stated this morning I could not state for sure if I saw him when I came through Cairo. I never saw the reports while G-2. The first I knew of them was the report in the press they were before your committee.

Mr. SHEEHAN. Did you have any correspondence or remember any correspondence or talk with the State Department about the Holmes' report?

General BISSELL. Not until I saw in the press. I went back and got permission to read both of them.

Mr. SHEEHAN. You did see them after this was all over?

General BISSELL. Yes.

Mr. MACHROWICZ. You saw them in the Department of Defense?

General BISSELL. Yes; and asked authority and they told me I could see them if I would come to Washington. I did.

Mr. MITCHELL. When was that, sir?

General BISSELL. It is all in the story I am trying to read to you. It was the 1st to 12th of April I was in Washington and came up to get this information and other matters. I had other business up here.

Mr. SHEEHAN. You are positive of the fact that you did classify the document "top secret"?

General BISSELL. I am positive.

Mr. SHEEHAN. Is there any possibility you could have changed your mind afterward?

General BISSELL. That one would have been a little impossible in a way. I had authority to down grade any document by anybody else in the military service except General Marshall, but there was a string to it. We were in business with the British in this war, and the war was being directed by the Combined Chiefs of Staff. They had set up an arrangement whereby neither nation would down grade below the classification, lower classification, of the two nations. Since the Gilder report—there was no reason for bringing it here, because it was secret and dealt with the same incident as the Van Vliet report, so it was not within my independent authority to down grade below the grade of "secret." To have done that, that wouldn't have let any human, outside of those who needed to know about it, see it.

Mr. SHEEHAN. I think that my final question that I am coming to might have to do with the possibility of leaks in G-2 while you were there. If you will look at the Inspector General's report, you will find there is a paragraph which states as follows:

With further reference to General Bissell's letter to General Holmes of May 25, 1945, and General Holmes' answer thereto to General Bissell dated June 9, 1945, a search of the files of the Assistant Chief of Staff, G-2, failed to disclose copies of either, although both were recorded in the logbook kept in the office at that time.

Here we have a situation where you have made references in a logbook to correspondence which you wrote. Yet, they are nowheres to be found in the Department. However, it turns out, according to the Inspector General's report, that the copies of these letters were obtained from the files of the State Department. The Inspector General goes on to say—is it not plausible that some sort of master file—and I am trying to state that myself—is it not plausible that some sort of master file or classification number should identify all of these matters pertaining to Katyn in the Van Vliet report?

General BISSELL. That was explained in great detail by a man named Carulli. I don't know whether he testified to them. He was the man I mentioned in my office. I suggested to Mr. Shackelford he was the expert and he would be glad to inform the Inspector General whatever went on. He explained our system.

Mr. MACHROWICZ. He did because he is referred to as one of the informants.

General BISSELL. That is right. We didn't package things. Mr. Carulli explained why. When I was vacating my personal office, there were no files in that one. That was not a place for papers to be filed. In the one next to it there were quite large files, probably five or six big file cabinets full.

Then the next door to that had a small card index, 10,000, 20,000, or 30,000 cards, perhaps, which covered G-2, things that had been handled in a recent period. We had to keep some material right

there, and we kept that as a quick thing. It worked beautifully. We could get things very quickly. General Marshall could call down, and I could have the piece of paper up to him in 5 minutes. I could never have done that if it were sent to the general files. It is too big.

The security of those general files required that everything went through a certain way in and out. It is clumsy. It is not a quick thing. It is a safe thing. You have to compromise between speed and absolute security.

Mr. SHEEHAN. There is another thought. You mentioned before when we were talking about the word "compromise" and your definition, something about the "day plans" that were forwarded or opened at the Chicago post office. Will you just, for our general benefit, elaborate on that?

General BISSELL. It has been published briefly in the press. It appears that the headquarters in London was moving its G-4 department. The individual who had the papers intended to address them to himself at the next office he was going to. He was writing a letter home, intending to send something home at the same time, and he confused them and put them in the wrong envelopes. The plans for the supply went to Chicago, and the little favors for his family went to the office he intended to move to. He was so frightened that he did not report it. By accident the package was broken open in the Chicago office, and, as I recall it, the inspectors immediately called the military, and we had someone there very quickly. The papers were flown up here, and we asked for a man to come from General Eisenhower's headquarters quickly to check the papers and see whether they might need to change the landing date. He had General Crawford flown over here. I think you will find it mentioned in Top Secrets very briefly, in that book, Top Secret. It has been in the press from time to time, but very little on it. No harm came of it, although it looked very suspicious at first because the boy came from a German family. It was addressed to a German family. There were several unusual things about that end of it. They were all right. The whole thing was all right. No harm was done.

Mr. SHEEHAN. When you use the phrase "broken up"—

General BISSELL. By accident in handling when they dumped the contents of the pouches onto the sorting table. That is the way I recollect it. There may have been some details I have not described 100 percent accurate in that brief comment.

Mr. SHEEHAN. The only thing that bothers me is the getting around this idea of whether the State Department got it or not, because from some of your correspondence—and I am quoting from that letter you wrote to Mr. Lyon in which you are talking about the Gilder report again—your last sentence said:

This report supplements the statement of Lt. Col. John H. Van Vliet, Jr., forwarded to General Holmes, May 25, 1945, and generally substantiating all material facts in Col. Van Vliet's report.

It seems to me, from writing a letter like that to the State Department so shortly after you were processing or handling the documents, that you must have sent it to the State Department. They are not questioning it, saying "We never got such a report."

General BISSELL. I wouldn't question them. The fact that I make that statement is what I believe was the situation when I dictated that

letter. I didn't do it all. I couldn't fill in the date out of my head when that thing had been sent the 21st of August which was quite a while from the 22d of May, or the 23d or 24th, when this other thing was going on. It leads me to believe that there must have been some record from Mrs. Meeres processing that letter where she got that information. She couldn't have gotten it without going to some place and finding that it had been sent. She didn't know.

Mr. MACHROWICZ. Is Mrs. Meeres still here?

General BISSELL. I don't know.

Mr. SHEEHAN. I think the question is for Mr. Lyon to answer. He got a letter. Did he get it or not?

General BISSELL. He got that particular letter. I told you how many people handled it. They handled it for 2 months in State. Many people had a chance to check up on that. I was sitting at my desk any time they wanted to call me. That doesn't mean that I am trying to throw stones at State. We were a government fighting this war. I was getting plenty of help from them and giving them all I could.

Mr. SHEEHAN. Except we found there were several governments in the State Department, you know—Mr. Hiss et al.

General BISSELL. I don't want to leave the impression that I am trying to smear somebody that has been convicted or trying to blame it on somebody. I can't help but think that it is the kind of document the Communists would have liked to have a look at. That is as far as I will go. I won't make any inferences or implications. I will make the thing the other way: that those two people I worked with—Holmes and Lyon—you would never get them mixed up with any Communists. I will tell you that.

Mr. MACHROWICZ. You had been making inferences and implications that Mr. Holmes and Mr. Lyon must have known about this.

General BISSELL. I am giving you everything I know—everything that touches Katyn as far as you had me proceed.

Mr. FURCOLO. I would like to ask you a couple of questions you may have answered. If you would refer to your testimony, when the State Department was working through, I think you said, the Swiss, trying to get Van Vliet's story, when did you find that out?

General BISSELL. Colonel Van Vliet told it to me at the time he made his report.

Mr. FURCOLO. That was the first time you knew of that?

General BISSELL. The first time I knew of it. It afforded me the only opportunity I knew for verification of his report. I don't know why Colonel Van Vliet didn't mention that. I don't recall him having mentioned it in his statement—oversight. There was no question he was giving you everything he could think of.

Mr. FURCOLO. We are interested in finding out what happened to the report in your office. As I understand your testimony, you have stated that if that report were to be mailed to the State Department it would have been mailed by one of three people—Mrs. Meeres, and you have testified as I recall that you were positive you did not tell her to mail it. Am I correct in that?

General BISSELL. She wouldn't have had anything to do with outgoing mail.

Mr. FURCOLO. So, she is out of the picture. Secondly, you testified that you might have told Colonel and now Congressman Lantaff, but you were very willing to accept his word that you did not tell him. So, as you sit there today, you also exclude Congressman Lantaff. I don't want to be unfair about this. I know you are trying to trace it just as much as we are; but, with those two people out of the picture on your own story, it comes down to the fact that that was mailed to the State Department, then comes back to you; is that right?

General BISSELL. If it was what? Mailed in the State Department?

Mr. FURCOLO. Yes.

General BISSELL. It is left with me.

Mr. FURCOLO. Up to now we have got it back to you.

General BISSELL. Yes.

Mr. FURCOLO. As I understand it, and I want to be sure about this, I understand that you have come to the conclusion that it was mailed to the State Department, and you base it on——

General BISSELL. Because of that reference.

Mr. FURCOLO. Because of your letter of May 25, 1945. Do I get your position correctly that you claim if it was mailed to the State Department it was mailed in the letter of May 25, 1945?

General BISSELL. That is right.

Mr. FURCOLO. Am I fair in stating that up to this point, whether or not the document left your hands——

General BISSELL. It was never in my hands.

Mr. FURCOLO. Whether or not the document ever left the office of General Bissell——

General BISSELL. Of General Bissell's secretary, because it didn't stay in my office except while Colonel Van Vliet was in there.

Mr. FURCOLO. Whether or not the Van Vliet document ever left the office of General Bissell is determined upon what conclusion this committee can come to with reference to the letter of May 25, 1945. Is that your position?

General BISSELL. That and the fact that their having that document and never calling back for any comment or verification or anything on the letter would indicate they must have had it, plus the fact that they knew all about it in advance from other communications.

Mr. FURCOLO. Well, what you come down to, then, is showing that the State Department received the Van Vliet document from your office is No. 1, the copy of the letter of May 25, 1945, and second, the fact that the State Department never called you back and said, "We did not get this document." Is that right?

General BISSELL. That is right, plus the fact that they knew about this Swiss business. That is another one.

Mr. FURCOLO. In other words, three things.

General BISSELL. Then there was another one because they didn't know about the Van Vliet report but they knew about the Katyn thing. You are sticking to Van Vliet. Then Lyon. I have a recollection or a feeling that I told either Lyon or Holmes on the telephone.

Mr. FURCOLO. I am not directing my remarks or attention at the moment to anyone, but you must have told someone. We are trying to look specifically at the transmittal. As far as the transmittal is concerned, coming down to the three things mentioned, first, what-

ever that letter of May 25, 1945, may be interpreted as; and, second, the fact that the State Department did not call you back; and, third, this Swiss business you mentioned. Is that right?

General BISSELL. There was a specific reference to Lt. Col. John H. Van Vliet's report forwarded to General Holmes on a certain date, then to Mr. Lyon.

Mr. FURCOLO. That is in the letter that transmitted the Gilder report?

General BISSELL. That is right. So, that ties it in, too.

Mr. FURCOLO. You interpret that as tying it in, too?

General BISSELL. Certainly.

Mr. FURCOLO. Can you think of anything else? I don't want to tie you down.

General BISSELL. I don't believe so at the moment. I have tried to get everything I could when I was working with Mr. Shackelford. I wasn't involved at all in this thing, except as someone out of the picture trying to help.

Mr. FURCOLO. I want to get it first with reference to that letter of May 25, 1945.

In view of the wording of that letter, in view of the fact that that letter contains no reference to transmitting Van Vliet's memorandum and also there is no reference in there to any enclosure, is it not your position right now that as far as that letter of May 25, 1945 is concerned, as far as any proof there may be in that letter alone that you transmitted the Van Vliet document in there, that is out of the picture; that that is no proof?

Mr. MITCHELL. Mr. Furcolo, we have been talking about this letter of the 25th of May 1945 all day long. Can we kindly get this memorandum into the record since it is not in the record as yet? This is a copy that I have, right here. The committee can read it. From there I think the questions can be asked.

I would like to put it in as exhibit No. 5, with the original to come at a later date from the State Department, since they obviously have it.

Mr. DONDERO. What date is that?

Mr. MITCHELL. The 25th of May 1945.

Chairman MADDEN. Mark it.

(Exhibit No. 5, dated May 25, 1945, was marked and received as follows:)

#### EXHIBIT No. 5

MAY 25, 1945.

Brig. Gen. JULIUS C. HOLMES,

*Assistant Secretary, Department of State, Washington, D. C.*

DEAR GENERAL HOLMES: A Lt. Col. John H. Van Vliet, Jr., Infantry, and a Captain Stewart, while prisoners of war at Oflag No. 64, are reported to have been given a letter by the Swiss Protecting Power dated about October 1943, which asked them to reply to certain questions. The questions were:

1. Had Captain Stewart and Lieutenant Colonel Van Vliet gone to Katyn?
2. How had they been treated?
3. Were any photographs taken?
4. Had they made a statement?

Colonel Van Vliet believes that a copy of this letter, together with his reply, is in the State Department's files. It is requested that this be verified and, if the records referred to are in the files of State Department, that copies be made available for the Assistant Chief of Staff, G-2.

Sincerely,

CLAYTON BISSELL,  
*Assistant Chief of Staff, G-2.*

Mr. FURCOLO. What is your answer to the question?

General BISSELL. I can't place your question.

Mr. FURCOLO. My question is—that you have based your belief that this was transmitted to the State Department on four different things. I am now asking you, on the first one of those four, which is the letter of May 25, 1945, and I have said to you—in view of the wording of that letter, particularly the absence of any reference to a transmittal, in the absence of the word “enclosure” at the bottom of the letter, is it not your belief that that letter of May 25, 1945, does not help this committee in any way as far as that alone being proof of the transmittal?

General BISSELL. This one did not carry the Van Vliet report or it would have to be listed.

Mr. FURCOLO. So far as that letter transmitting the Van Vliet report, you yourself say that that is out of the picture?

General BISSELL. That did not transmit it.

Mr. MITCHELL. Mr. Chairman, at this stage of the proceedings I would like to have the record show that we already have, as exhibit No. 4, the letter from the State Department, signed by Julius C. Holmes, dated June 9, 1945, addressed to “My Dear General Bissell.” That reply is on the record prior to this exhibit No. 5. There is no mention of the previous Van Vliet report in either exhibit, either transferring it as an enclosure in any shape, form, or manner. Therefore we must deduct that based on these two particular letters, namely, exhibit No. 4 and exhibit No. 5, there was no enclosure to the letter or any reference in either letter to the missing Van Vliet report.

Chairman MADDEN. How long after that was it that Van Vliet made his report out?

Mr. MITCHELL. Van Vliet had made his report reputedly for the record the 22d of May 1945, or about that time, 3 days previous.

General BISSELL. I think he dictated it on the 22d. I think it was typed on the 23d or 24th. I think I saw him on the 23d or 24th, the last time when we put his initials on it, and that is all I can tell you on it.

Mr. MITCHELL. I would like to have the record show in the presence of Mr. Brown, for the Department of State, that we would like to have the original of the letter of May 25, 1945, to General Holmes, and I would like to have Mr. Shackelford produce the original of General Holmes' reply to General Bissell dated June 9, 1945.

Mr. DONDERO. Before you answer I want to ask counsel whether the State Department has transmitted any papers of any kind to this committee?

Mr. MITCHELL. No, sir. Chairman Madden has designated a subcommittee of Mr. O'Konski, Mr. Sheehan, and Mr. Machrowicz, to look at the documents that the State Department has on that. My understanding is that they will do it within the next 48 to 72 hours.

Mr. MACHROWICZ. In connection with that, we had agreed that because there are a lot of documents and the Department of State does not know which documents we want, a subcommittee would go there and pick the documents out which we feel we need. They offered to turn them over to us.

Mr. DONDERO. Pertinent to this issue.

Chairman MADDEN. I might say further, last Thursday and on Monday I asked the counsel to have that situation in readiness, but



the committee members were not available to go over and see the documents.

Mr. MITCHELL. That is correct. I did talk to Mr. Machrowicz and Mr. Sheehan and they asked me to set up that meeting for some time as soon as we complete this set of hearings now. I will do that within the next 24 hours.

Mr. FURCOLO. To continue, I will have to ask you the question once more. I want to have it in one place. There has been this other conversation in the meantime.

I have understood your testimony to be that your position is, as far as that letter of May 25, 1945, is concerned, that because of the language of that letter your final conclusion is that that letter certainly didn't transmit the Van Vliet report on the Katyn Forest?

General BISSELL. No, sir.

Mr. FURCOLO. I also understood your testimony before to be that after Van Vliet had dictated his report to Mrs. Meeres, which was probably the 21st or the 22d of May, you sent it to the State Department, and I wrote down your words. You said you intended to send it at once and you believed it was either the 24th or the 25th that you sent it. Is that right?

General BISSELL. That is correct.

Mr. FURCOLO. By using the words "you sent it" you were referring to the Van Vliet report?

General BISSELL. I am not referring to this exhibit No. 5, the May 25 letter.

Mr. FURCOLO. Let me get to that. By "sent it" you were referring to the Van Vliet report on the Katyn Forest massacre?

General BISSELL. That is right.

Mr. FURCOLO. I understood you to say that you sent that report on either the 24th or the 25th of May 1945.

General BISSELL. This one?

Mr. FURCOLO. I don't know what you mean by "this one." You sent the Van Vliet report on the Katyn Forest massacre, outlining what he had seen there, including the bodies and the graves?

General BISSELL. It was my intent that report would have moved on that date and I didn't see it done myself. I therefore don't know it did. So you have me there swearing to it.

Mr. FURCOLO. If you would follow me for a minute I will do my best if you will answer the questions. Did you say that you sent the Van Vliet report on the Katyn Forest massacre out in a letter either May 24 or May 25?

General BISSELL. I did not.

Mr. FURCOLO. I understood you to say that.

General BISSELL. I said I had reason to believe I did because I mentioned that date in the letter transmitting the Gilder report. I described not this paper but the Van Vliet report.

Mr. FURCOLO. Did you say that immediately after Van Vliet had concluded his report about the massacre of the Polish officers at Katyn Forest, that it was your intention to send that report at once out of your office?

General BISSELL. That is correct.

Mr. FURCOLO. Did you also say that to your best recollection he had completed that report about May 22 or May 23, approximately?

General BISSELL. My recollection was that he had done the dictating on the 22d, that it was completed either on the 23d or the 24th, and brought to me on one of those two dates.

Mr. FURCOLO. In other words, you apparently had the Van Vliet report of the Katyn Forest massacre on, say, the 23d or the 24th of May 1945?

General BISSELL. That is correct.

Mr. FURCOLO. And at that time, on May 23 or May 24, when you had that completed report, the purpose in your mind was to send that out immediately; is that right?

General BISSELL. That is correct.

Mr. FURCOLO. And at that time, on May 23 or May 24, when you had that completed report, the purpose in your mind was to send that out immediately; is that right?

General BISSELL. That is right.

Mr. FURCOLO. The very next letter in connection with it that you can recall having sent out was the letter of May 25, 1945, to General Holmes?

General BISSELL. Yes. Well, I don't know that is so because there were lots of other State Department—I can't tell you. I don't know. On this subject, certainly.

Mr. FURCOLO. On this subject, your best recollection is that the very next letter you sent out was to General Holmes on May 25, 1945?

General BISSELL. That is right.

Mr. FURCOLO. And is it for that reason that you believed the Van Vliet report of the Katyn Forest massacre was sent in the letter of May 25, 1945?

General BISSELL. No; my reason for believing it is because it was so stated in the letter carrying the Gilder report on the 21st of August, I think.

Mr. FURCOLO. Well, the letter carrying the Gilder report does not indicate when they might have received the Van Vliet report from you, but merely in effect says: "Compare the Gilder report with the Van Vliet report."

General BISSELL. Forwarded to General Holmes May 25, 1945, and it generally substantiates all material facts in Van Vliet's report.

Mr. FURCOLO. Forwarded to General Holmes May 25, 1945. Now, does that not completely fix in your mind the fact that if you ever did send the Van Vliet report on the Katyn Forest massacre to General Holmes, it was sent in the letter of May 25, 1945, to which this Gilder report refers?

General BISSELL. In a letter of May 25.

Mr. FURCOLO. In a letter of May 25, 1945.

General BISSELL. A transmittal letter.

Mr. FURCOLO. Have we finally got tied down the fact that you say that the Van Vliet report on the Katyn Forest massacre was sent in a definite letter to General Holmes on a definite date of May 25, 1945?

General BISSELL. I said that in this letter.

Mr. FURCOLO. Is that what you say as you sit here today?

General BISSELL. Today I am not sure it did go because there is no indication it was received. Something could have happened and I don't know what, if anything, ever did.

Mr. FURCOLO. That is right, but the point is if you did send it, you are saying that you sent it on May 25, 1945, in a letter to General

Holmes. Would you be willing to say, in view of that, if it was not in that letter of May 25, 1945, to General Holmes, then your position would be it apparently did not go?

General BISSELL. Almost that. What I actually say is this: there were two places it was logical for me to send that, and quick. One was to War Crimes, which was not so urgent at that time because they were just getting going. The second one was to State. Van Vliet and I had both mentioned the State Department aspect of it. I don't know where the paper was sent. Therefore, I tried to figure back where there is any evidence of it being sent. The only evidence is that. That is that.

Mr. FURCOLO. In other words, the only evidence that the Van Vliet report was sent to the State Department would be the fact that the Glider letter says that it was sent in the letter of May 25, 1945, to General Holmes?

General BISSELL. That is right, plus the fact that the Glider letter was then processed for nearly months in State and no one ever made a query as to "Where is this thing you are referring to?"

Mr. FURCOLO. That is a separate thing. That is an absence of evidence rather than a positive indication.

In other words, your position as you say now is that the only documentary evidence that the Van Vliet report on the Katyn Forest massacre was sent to the State Department was the fact that in the Glider letter it stated it had been sent in the letter of May 25, 1945, to General Holmes?

General BISSELL. That is right.

Mr. FURCOLO. So that is the only documentary evidence. Now, referring back to your testimony about 10 minutes ago at the beginning of my questioning of you, you agreed with me that as far as just that letter of May 25, 1945, is concerned, your interpretation of that letter would be that there was no enclosure in that. Is that not right?

General BISSELL. In this one?

Mr. FURCOLO. In the letter of May 25, 1945, to General Holmes. You stated that about 10 minutes ago and you gave your reasons; is that not true?

General BISSELL. Yes, but I am not talking about the same May 25 letter. I think there were two of that date.

Mr. FURCOLO. You think there might be some other letter of May 25, 1945?

General BISSELL. Van Vliet was as much a part of getting this letter over to State as getting over the other one. This all came out of him. It would have gone out together.

Mr. FURCOLO. The only letter that you have in the files or the only letter of which you have seen a copy in the files of G-2, your own office, on May 25, 1945, addressed to General Holmes, having anything to do with Van Vliet's report on the Katyn Forest massacre, is this letter that you hold in your hand and which we have read into the record; is that correct?

General BISSELL. That is correct.

Mr. FURCOLO. You agree that letter is not any evidence at all of the fact that the Van Vliet report document was sent, because of the wording of the letter?

General BISSELL. That is correct.

Mr. FURCOLO. So it is fair to summarize your position as being this: your position is, first of all, that you believe the Van Vliet report on the Katyn Forest massacre was sent to the State Department. You believe that it was sent in the letter of May 25, 1945. That was your original position?

General BISSELL. In a letter.

Mr. FURCOLO. You believe it as sent in a letter?

General BISSELL. Not this one.

Mr. FURCOLO. Of May 25, 1945. The only letter that you can find at G-2, or in your office on May 25, 1945, addressed to General Holmes, is that letter which is now exhibit No. 5, I believe?

General BISSELL. That is correct. That is not it.

Mr. FURCOLO. You state it is certainly no proof it was sent but in fact from the wording of the letter it indicates very clearly that it was not sent in that one?

General BISSELL. It was not sent in that letter of May 25.

Mr. FURCOLO. So what it comes down to, in other words, is that when you state this Van Vliet report we have been talking about had been sent to the State Department in a letter of May 25, 1945, you are basing that upon a letter that is nonexistent as far as you, or this committee, or anyone in the Government has been able to determine?

General BISSELL. That is correct, at the moment.

Mr. SHEEHAN. Or it could have been sent by a courier directly over there, without a letter of transmittal?

General BISSELL. It could but I don't think I did. I could have done that. I had a courier, a special one that I started to mention, this Mr. Dillingham. He did not follow hardly any of these procedures in handling State Department material to us or our material to State. His specialty was bringing to me State Department wires of certain categories and picking them out over there that I would be interested in, getting them to me quickly, things that would come to me again later in the regular channels after reproduction.

On rare occasions, none of which I can remember, I have sent things back by him because there could not have been any more a secure way to get them over there quickly. I don't think it was done in this case because usually when I sent anything like that, since it was short-cutting all the rules, I would call Mr. Holmes and ask him if he got it right away. Or I would do the opposite thing, I would have Dillingham phone me back, gas line or otherwise and tell me it was there, either one of which satisfied him.

Mr. FURCOLO. I wanted to say I know your position is the same as ours. We are interested in tracing that report. We are not particularly concerned about whether we trace it to the State Department or trace it to the Department of the Army, or G-2, or anyplace. Your position is the same, I know.

With that in mind I wanted to ask you this: In view of your testimony, which I know to be true, and I know that you had so many of these matters and some at the time were more important than others. Later on history will show that some which looked unimportant have turned out to be extremely important.

Might it not appear to you at the present time that actually, with all the different things you had to do and the hours you had at the time, and short-handed as you were, and with the testimony that has

been developed upon which you based your opinion had it been sent, that, actually the Van Vliet report was just lost in the shuffle someplace along the line?

General BISSELL. When I started in—Mr. Shackelford is a person not involved—I said, “Where is this paper?” It is in State, it is in G-2, it is in War Crimes, or it is in my own personal office file. I was no longer in G-2. We searched every one of those. We got in touch with all of the people that could have seen it. We went further down the line of files than you did. We went to Miss McKenna and then on down. When I started down the line, I knew there were some outs that were perfectly all right, that might block us on finding it in G-2 if it had been left there, and never gone out. These are those outs.

While I was in G-2 we were still cutting down files and people to get smaller. I was only there some 7 months after the Van Vliet arrival, then I was gone. At that time I turned the whole thing over to General Vandenberg. I made every assumption that I could against myself. The first one was, “Maybe you forgot and put it in your personal safe in your own office, the little one.” I never took it out of there, so if it were taken out of there it had to be taken out by someone who had the combination.

I asked General Weckerling if he had the combination. He said, “I might have.” I said he did because I had left Washington for as much as 2 months at a time. He didn’t remember a thing about this matter.

I did not contact General Vandenberg, but it was not appropriate as he was my boss. It was not appropriate to ask him this question. So I had it asked through Mr. Shackelford’s office. The reply from General Vandenberg was “Absolutely no.” When he opened that safe and took over from me, it wasn’t there. He doesn’t remember, either, any of the papers, if any, that were there, which did not help me. I know that the day I left G-2 I had the combination of the safe changed.

So, after that what was in it was not mine. General Vandenberg did not steal those papers and turn them over to the Commies, or he did not hold them up for anybody else. I am sure of that. He was busy taking over G-2, and I know what it means.

Then where could it be? Well, outside the door were these files they spoke of as my personal safe. That really wasn’t a personal safe, except that it had some personal files in one drawer. The rest of them were routine safe in the alphabetical number system. It might have been in some of those. So we found out where the contents of those had been sent first. The safe outside the door—a man named Gen. Carter Clark had gone over those with Miss Bryant, who is still within reach. She is married and down just south of Alexandria. She said she sorted out every paper in there, saying “I will take this one. These are top secret.” This is one of the instances they did not go through with the red tape. “I will take this one. You send that one to so-and-so.” When they were through there were two piles. The young lady did not know what was in either pile. She knew she transmitted these in the pile she was directed to forward.

General Clark was contacted and said he didn’t see anything about Katyn or the Colonel Van Vliet report. We went to the next safe where the big files were. We went to the files we had in the office,

where we kept them by subject. We went through those cards. I had trouble getting that done because those cards were still extant at that time. The papers to which they referred, for the most part, were gone. The reason they were gone was because they had been shipped out to various places to clear the office. The Korean business was on. They needed space. Papers in these files were pushed out and considerable numbers had been destroyed in the period between my departure from G-2 in 1945 and this period in 1950, 4 years.

G-2 had been compressed, in the Pentagon into much less space. It was a smaller machine. It could have been destroyed among those papers. The people that did that destroying, a lot of them were not too well qualified. They did the best they could. But how could it have gotten into that file? Mr. Lantaff said it came out to him. He told you what file he kept it in. He doesn't know what happened to it. Neither do I. As a matter of fact, neither do I, to absolutely say I saw it go there. My procedure of having other people do everything possible and that is the only way you get any bigger job done, where I did not actually handle the paper—I did not bring it in. Either Van Vliet or Mrs. Meeres brought it in. I did handle it a while. One of those two, or Lantaff, took it out. After that I never saw the paper again.

Mr. MACHROWICZ. I am not going to repeat some of the matters that were gone into by my colleagues, but there is one thing that I would like to find out which concerns all of us, even more than the Katyn matter. That is the possibility of the loss of these documents at such frequent intervals.

I would like to find out from you, in view of what you just said, just how you keep those documents. Let me ask you this: suppose someone comes in and talks to you or brings you information about the Katyn massacre or Dachau, or some other incident. Do you file that just in your safe, or do you put it under a certain heading?

General BISSELL. I keep nothing in my safe.

Mr. MACHROWICZ. Do you have it filed under a certain heading.

General BISSELL. A file system is established for the entire office. It was established before I came there. The same one was in effect when I left.

Mr. MACHROWICZ. I am not insisting you were to blame for it. I want to find out whether there is a system.

General BISSELL. Very definitely.

Mr. MACHROWICZ. It is pretty hard for a Member of Congress to break into this wall. It is hard to get information from the Pentagon. When you receive information on a particular subject, is that information placed in a master file with that name as a heading?

General BISSELL. In G-2, while I was there we had a group called the Specialist Group, who specialized on Germany and on Japan. They saw everything on their subject. Unless it required action or was ready for action, it went to them first and not to me. They had everything.

Mr. MACHROWICZ. That does not answer my question.

General BISSELL. They kept a certain amount of this material in their offices while it was live. As it passed the live stage and became dead, it was sent down to general files.

Mr. MACHROWICZ. That does not answer my question. Supposing you are interested in obtaining information which G-2 possesses on

a particular subject, Katyn for example, can you go to the file and find under "Katyn" all the information which the Department has on that subject?

General BISSELL. Not now. It has been spread from one end of the place to the other.

Mr. MACHROWICZ. Was it at the time you were there?

General BISSELL. It would all have been in the Russian section.

Mr. MACHROWICZ. If you were interested as the head of G-2 to get all available information on a specific question, was there not a file to which you could look to find out where all the information available to G-2 is on that particular subject?

General BISSELL. All the live information, yes. There would be lots more information in other places than G-2, but it would not be live. Some may be far away.

Mr. MACHROWICZ. So I presume there was a file labeled "Katyn"?

General BISSELL. Probably. I can't say for sure. I didn't check it.

Mr. MACHROWICZ. You know now, although you probably didn't at that time, there had been information, and valuable information, requested and received by G-2 on Katyn prior to the Van Vliet report?

General BISSELL. I found out subsequently about the Szymanski report and read the letter of transmittal to General Strong.

Mr. MACHROWICZ. You know G-2 specifically requested Colonel Szymanski to furnish information relative to the Katyn matter?

General BISSELL. I know that the report came in two ways, one to General Strong personally, and exactly the same paper sent another way.

Mr. MACHROWICZ. You as the head of G-2 wanted to get all the available information on Katyn there was, any place where you could look under a filing system and find Katyn and find Szymanski?

General BISSELL. It would have gone to the Russian specialists, because that is Russian territory and a Russian problem.

Mr. MACHROWICZ. I do not care where it would have gone, but there was a place where you could have gone and gotten all the available information?

General BISSELL. All I would have had to do was to tell Lantaff. He would have gotten the Russian specialists. The Russian specialists would have gotten the stuff from their office. They would have gotten the stuff I needed.

Mr. MACHROWICZ. There was a way of finding out available information on any important subject?

General BISSELL. Hot stuff.

Mr. MACHROWICZ. When you were told that Colonel Van Vliet was coming to see you and make a report on the Katyn massacre, did you request from anyone under you to get a complete file on that subject?

General BISSELL. I didn't get any such warning. He was in the office when I got back from a trip out of town. I wanted to get to him in a hurry because I understood he had been waiting.

Mr. MACHROWICZ. When you did talk to him, did you then request to get that information?

General BISSELL. No; I did not at that time because I had a copy of this letter of May 25.

Mr. MACHROWICZ. You did not have it then?

General BISSELL. No; it was written. While I was talking to Van Vliet I didn't want to be influenced by anything but Van Vliet.



Mr. MACHROWICZ. He came to see you on May 22. The letter was May 25?

General BISSELL. That is right. I put this letter out.

Mr. MACHROWICZ. Which letter?

General BISSELL. The letter of May 25, addressed to Julius C. Holmes.

Mr. MITCHELL. May?

General BISSELL. May 25, 1945, to Julius C. Holmes.

Mr. MACHROWICZ. Did you at either time when you talked to Colonel Van Vliet, or afterward, refer to the available live information which was in the G-2, to either check his information with other information which you received as to his veracity in regard to his observations or anything at all?

Did you do anything to find out what other available information you had in G-2?

General BISSELL. I did not go to the general files. I didn't mention it to the Russian specialist.

Mr. MACHROWICZ. Did you have anyone else do it?

General BISSELL. No, sir. The reason for that was, had anything come in during the period I was G-2 on a matter of that nature, it would have been told to me.

Mr. MACHROWICZ. You say the Katyn report would have been properly filed under Russian affairs?

General BISSELL. The Russian specialist would have had it and he would have determined where it was going to go.

Mr. MACHROWICZ. If I am wrong, I hope Mr. Shackelford corrects me. It actually was found under Poland?

General BISSELL. It could well have been. Where you have three countries, it would go first geographically to the man who handled the area. Then he would see that those interested in it would receive either copies made for them or have a chance through rotation to see it.

Mr. MITCHELL. Was it, at the time you were G-2, a fact that Poland and Russia were in the same area known as eastern Europe?

General BISSELL. There was Eastern Europe Chief. He had subchiefs for different subareas.

Mr. MITCHELL. The reports would have gone to the Eastern Europe Section?

General BISSELL. That is right.

Mr. MACHROWICZ. At any rate no attempt was made by you to evaluate the Van Vliet report by even trying to compare it with available information you already had in G-2?

General BISSELL. I was going to use the reply to this letter as the starting point for that.

Mr. MACHROWICZ. Did you use it as a starting point?

General BISSELL. No.

Mr. MACHROWICZ. Why not?

General BISSELL. Because, when it came back, I was just telling you my reaction, and why I didn't go along with the State Department's comments or their conclusions. I have just mentioned two of them. When questions put an end to it.

Mr. MACHROWICZ. Their conclusions had nothing to do with the evaluation of the Van Vliet report?

General BISSELL. That is what you say.

Mr. MACHROWICZ. Am I right? What conclusions are you referring to?

General BISSELL. If State, instead of being able to tell me they didn't actually get this reply, had told me, "Yes, we got it; here is what it says," and gave me another Van Vliet report, I would have had everything I needed to evaluate his report, one sent in 2 years earlier, and then this one. That would have established his memory, accuracy, detail of a good many kinds.

Mr. MACHROWICZ. Why didn't you look in your own department to see what information you had?

General BISSELL. Because, had anything of significance come in—

Mr. MACHROWICZ. How do you know?

General BISSELL. I had a meeting each morning about something, at which the specialists of each branch told me everything of importance that came in within the last 24 hours.

Mr. MACHROWICZ. Did you consider the Colonel Szymanski report filed with your department at the request of your predecessor, and a report which was very lengthy and very important, or did you think it not important enough to consider?

General BISSELL. Had that report been brought to me without evaluation, as it came in, the colonel did not say, "This is true, this is untrue, this is probably true."

Mr. MACHROWICZ. You are talking about Colonel Van Vliet's report or Colonel Szymanski's?

General BISSELL. Szymanski's. He didn't say, "This is based on people whose veracity and dependability I know well."

Mr. MACHROWICZ. He did not say that?

General BISSELL. He didn't evaluate it at all. He said, "Transmitted herewith is so-and-so," a very short letter, to General Strong.

Mr. MACHROWICZ. Are you quite positive of that?

Mr. MITCHELL. Are you referring to the exhibits which are already on record with this committee?

General BISSELL. That is the only thing I know about it, what has been printed in the press. I read his report in G-2 during that period, April 1 to 12.

Mr. MITCHELL. What year?

General BISSELL. This year. I saw nine exhibits with about this much of letter transmitted [indicating about 3 inches]. That is all Szymanski contributed. It was someone else's material being forwarded. I examined each of those. Three of them said they were hearsay. Some of them said they were hearsay several times removed. Three others did not mention Katyn.

Mr. MACHROWICZ. What you are referring to is he never got anyone actually at Katyn when the shooting took place?

General BISSELL. It was all hearsay.

Mr. MACHROWICZ. He never had an eyewitness?

General BISSELL. No. He had neither eyewitnesses nor other evidence. By evidence I mean something that a lawyer can use. Fortunately we had lots of lawyers in G-2. They weighed things. They had to be right.

Mr. MACHROWICZ. I think you said a few minutes ago that you never had the Colonel Van Vliet report in your hands.

General BISSELL. I didn't say I never had it in my hands. I held it a while while I read it over with Van Vliet in my office, and asked

him if he wanted to make any changes. He didn't want to make any. I had him initial the thing. He did that. I don't think I even picked it up off my desk.

Mr. MACHROWICZ. Did you ever order that to be put in the Katyn file?

General BISSELL. No.

Mr. MACHROWICZ. Why not?

General BISSELL. Because I didn't want it to get that much circulation at that point.

Mr. MACHROWICZ. If you ever transmitted to anyone—

General BISSELL. I would not have needed to say that. If a paper came into my office and I did not need to take action on it, just information, my initial was usually put in on it, but not always. It was put in the out basket. It went out and was filed properly. I didn't personally have anything to do with the filing.

Mr. MACHROWICZ. Was it properly filed?

General BISSELL. Maybe only 99.999 percent thereabouts.

Mr. MACHROWICZ. If some one subsequent to you, a successor to you, the next day, wanted to check the Katyn file and asked the head of the Russian or Polish departments about it, would he have been able to find the Van Vliet report?

General BISSELL. No.

Mr. MACHROWICZ. Then you would say it was not properly filed, was it?

General BISSELL. If he did not find it, he would have come to my secretary and reported the fact. My secretary would say, "Well, this is the dope on that."

Mr. MACHROWICZ. How could he report a fact which he would not have known about? How could he have known about the report?

General BISSELL. If he didn't know about it, he couldn't do it.

Mr. MITCHELL. You just said in reply to Mr. Machrowicz that you had a daily briefing session with the members of your staff. Did you meet these area chiefs at any time and discuss either the Katyn affair, or Van Vliet's report at that briefing session?

General BISSELL. I did not.

Mr. MITCHELL. You never have discussed that?

General BISSELL. Never.

Mr. MITCHELL. You have never discussed it with any other member of G-2 except Colonel Lantaff and Mrs. Meeres?

General BISSELL. I didn't discuss it with Lantaff.

Mr. MITCHELL. They are the only two people you knew who knew about it?

General BISSELL. That is right.

Mr. MACHROWICZ. Did you have any members designated as liaison officer with the OWI?

General BISSELL. Yes.

Mr. MACHROWICZ. Who were they?

General BISSELL. Many people at many times. I can recall no names.

Mr. MACHROWICZ. At that time, in May 1945.

General BISSELL. I couldn't tell you.

Mr. MACHROWICZ. Whoever they were, did you instruct them to give this information to the OWI?

General BISSELL. No.

Mr. MACHROWICZ. You did not think the OWI should know this information?

General BISSELL. I think we are getting in trouble on sources of information, but I will be glad to tell you in executive session.

Mr. MITCHELL. Mr. Shackelford, does the record of the G-2 office in the period while General Bissell was in charge of G-2, show who were the liaison officers to OWI and who were the OWI representatives to G-2?

Mr. SHACKELFORD. I would be glad to check the records for that information, and if it is in the records, to supply it to the committee.

Mr. MACHROWICZ. It would not do any good in view of the testimony it was not generally discussed, anyway.

General BISSELL. I did not.

Mr. MACHROWICZ. They had no knowledge of the Van Vliet report?

General BISSELL. I can't say.

Mr. MACHROWICZ. If they did, they got it improperly?

General BISSELL. No. There were other people in the world who knew that these people had been there. They had many contacts in many places.

Mr. DONDORO. Was that a part of your function?

General BISSELL. I was on a committee called the Joint Intelligence Committee. There were meetings once a week where I saw representatives of OSS, State, War, Navy, Air, and sometimes others. This is not the nature of a question that would have been taken up there. They were not policy recommendations to the combined Chiefs of Staff or Joint Chiefs for the conduct of their intelligence arrangements, prior to major operations, or something that we could think of that would help the prosecution of the war.

I also had conferences with the head of Naval Intelligence and the FBI, a little different group. We met periodically and took up everything on the counterintelligence side both in the United States and world-wide, dividing the duties between us, according to the regulations in effect at that time, which was an Executive order.

Beyond that, I don't think I should go into that one.

Mr. MACHROWICZ. I presume you read Arthur Bliss Lane's article in the American Legion magazine?

General BISSELL. I don't know who wrote it. It doesn't say. I would like to have found out.

Mr. MACHROWICZ. I am not saying this, because I believe statements contained in here, but I believe you should be given an opportunity to comment. There is a statement there which states:

We heard that Van Vliet was behind the closed doors of General Bissell's private office a long time, alone with the G-2 general. When he reappeared in the reception office we learned Van Vliet was flushed, seemed intensely but silently angry. He went as directed by Bissell, with the general's personal security stenographer across the corridor to a smaller office.

Colonel Van Vliet made no such statement to us, that he was flushed or angry or anything that occurred between you two which would give rise to that statement. I am going to ask you, have you any comment on that?

General BISSELL. I would welcome you taking Van Vliet's word on it, but there was not the slightest unpleasantness. My only feeling was, shall we push this fellow for this now? He was off the normal track. Normally, when some returned person came in, we tried to

be sure they were fit to make a report. Colonel Van Vliet was, but he was awfully tired. He was ready to go, it seemed. I don't know anything that happened, to my knowledge, that didn't suit him to a "t."

Mr. MACHROWICZ. I want this on the record.

Do you claim that this statement is not justified by the facts?

General BISSELL. As far as I know, there is no basis of fact in it at all. I don't know where it could have come from.

Mr. MITCHELL. Have you tried to find out?

General BISSELL. No. The only thing I was interested in was having a check made to see if any of those were libelous. When you analyze them carefully, there is not a firm statement about me in them; every one is a quiz, qualification, or implication, or inference.

Mr. MITCHELL. Have you discussed the article with Arthur Bliss Lane?

General BISSELL. No. I do not go to former State Department people except through War Department channels. I am a civilian.

Mr. MITCHELL. So is he.

General BISSELL. His status is different from mine. I am on the Government payroll as a retired officer.

Mr. MITCHELL. So is he.

General BISSELL. I didn't know that. Mr. Lane is a nice person. I don't think he would be vindictive about me. He might have lent himself to something for a purpose, but I don't think he meant anything vindictive.

Mr. DONDERO. I have two or three short questions.

I try to get in through a crack once in a while between my colleague from Michigan and counsel for the committee.

Here is something that challenges my attention and may yours: In the letter that you wrote on August 21, 1945, appears this statement:

Transmitted—

and this goes to Mr. Lyon—

for the information and file of the State Department is the report on Katyn by Stanley S. Gilder, captain, EAMC, British medical officer. This report supplements statement of Lt. Col. John H. Van Vliet, Jr., forwarded to General Holmes, May 25, 1945, and generally substantiates all material facts in Lieutenant Colonel Van Vliet's report.

The word "forwarded" is what challenges my attention. Would it be forwarded by mail or would it be forwarded by a messenger?

General BISSELL. I think undoubtedly by top-secret courier.

Mr. DONDERO. Now, after that letter was written, was it delivered to the State Department?

General BISSELL. This particular one?

Mr. DONDERO. This letter of August 21, 1945.

General BISSELL. They got this letter all right.

Mr. DONDERO. Did the State Department at any time, from the time they received it, up to this hour, ever say to you or to your office that they had not received the Van Vliet report?

General BISSELL. No. I pointed out they processed this letter for just 5 days less than 2 months. So many people handled it. It seemed to me that would have been almost inevitable.

Mr. DONDERO. It goes without saying, if they did not receive it, some statement should have come from the Department they did not receive it.

Mr. MACHROWICZ. Let's get this correct. Do you say the State Department never denied receiving the letter of May 25?

General BISSELL. I thought the State Department had not. I am talking about the letter to Lyon carrying the Gilder report, and not the May 25 letter. This letter is a letter of August 21.

Mr. MACHROWICZ. Read page 2 of the Department of Defense release in this matter.

General BISSELL. "General Holmes, in reference to the matter"—Which matter?

Mr. MACHROWICZ. This is the Department of Defense speaking here. They say, "The Department of State has no record of having received the memorandum of Lieutenant Colonel Van Vliet on May 25, 1945, and the Department of Army has found no receipt for it and no covering letter of transmittal."

Mr. DONDERO. What is the date of that?

Mr. MACHROWICZ. September 18, 1950.

Mr. DONDERO. That would have been 5 years—

Mr. MITCHELL. Just a minute.

Mr. MACHROWICZ. That is the date the Department of Defense gave the information, not the date from the Department of State.

Mr. DONDERO. That is the only statement I have heard as to what the attitude of the Department of State was, whether they received that or not.

Mr. MITCHELL. I want to say that is not in any letter form whatsoever. That is a comment by the Department of the Army at the time they passed this memorandum for the press, dated September 18, 1950.

The State Department, to my personal knowledge, is not on record with this committee or anywhere else.

Mr. DONDERO. That they ever received the report or denied or even answered that letter of August 21, 1945, when they had a chance to do it, after General Bissell had written this letter to them and said, "This supplements the material contained in the Van Vliet report."

Mr. MACHROWICZ. I can't understand your statement.

Mr. SHACKELFORD. The State Department will speak for itself, but insofar as this Defense Department statement was concerned, it was based on a thoroughgoing cooperation on their part. They were as anxious to find it as we were. They gave it the full diligence, when they were unable to find it. It is on the basis of that information that this statement is based.

Mr. MACHROWICZ. Information from the Department of State?

Mr. SHACKELFORD. Yes, sir. When they are before your committee, they will speak for themselves.

Mr. DONDERO. When the State Department receives a letter from General Bissell, or received a letter back in August 1945 that he had forwarded this report and they did not have it, wouldn't you naturally suspect they would come out and say then, not 5 years later, "We never received that report"?

Mr. SHACKELFORD. I believe it would be more satisfactory from your standpoint and the committee's standpoint if State were to speak to that, since it is outside of my province.

Mr. DONDERO. I just wanted to call attention to that. There is one other matter, and then I am through.

I have before me here a letter written by Mr. Shackelford to me on October 6, 1950, in answer to correspondence which I had directed to either the Department of the Army or the Department of State, inquiring what had become of the Van Vliet report. You answered me.

In the answer is this statement:

There was a mistake made—

I want to read three or four lines—you say:

Gen. S. LeRoy Irwin in his reply on October 19, 1949, to your letter—  
meaning to me—

of October 6, 1949, referred to a Katyn massacre report which was partially based on Lieutenant Colonel Van Vliet's observations.

In making this statement he erroneously thought—

and he, I think, refers to General Irwin—

he erroneously thought that the study entitled "Supplementary Report on Facts and Documents Concerning the Katyn Massacre"—

which was the report which the Polish government in exile made, if I recall correctly—

was based in part on information supplied by Lieutenant Colonel Van Vliet. This was not so, and the supplementary report was an independent and detailed study made by a Polish committee, which at no time has conferred or consulted with Lieutenant Colonel Van Vliet.

How was it possible in that office for General Irwin to make a mistake of that magnitude?

Mr. SHACKELFORD. It was a very unfortunate job of mislabeling, as is brought out in the Inspector General's report, and through really just a plain error.

This supplemental report, which I believe is approximately some 45 to 50 pages in length and prepared by the Polish government in exile, was incorrectly labeled as partially based on the Van Vliet report. It was from that clue, as it ultimately came through to General Irwin, his letter was based.

Mr. DONDERO. Could it be possible there is some error made regarding the Van Vliet report, so far as it affects this committee?

Mr. SHACKELFORD. We have done everything in our power—and very aggressively, to try to follow every possible clue that we had, and to examine every possible file to turn the report up and to find out any error.

Mr. DONDERO. I know you have made every effort possible, because you have been in my office more than once regarding it.

Mr. SHACKELFORD. Thank you.

General BISSELL. Mr. Dondero, may I say, when I appeared before the Inspector General, I pointed out that several letters had been sent out of the Department of Defense that conflicted with each other, to Members of Congress and to others, and that I asked the Inspector General to especially clear that thing up. I think he did. It was because people didn't know what they were handling, and called it different names, and because it was handled by different people at different times, and they didn't coordinate. I did stress that.

If you read the testimony there, given to the Inspector General, you will find that I especially asked them to go into that and clear it up, so that the Secretary of Defense would not be in an untenable position as he was in then.



Mr. MITCHELL. I have one question to ask.

When were you relieved as assistant G-2?

General BISSELL. In January 1946.

Mr. MITCHELL. What was your next assignment?

General BISSELL. Military and air attaché, Court of St. James's, London, American Embassy.

Mr. MITCHELL. When did you report for active duty there?

General BISSELL. In May, the 8th day of May 1946.

Mr. MITCHELL. When were you handed the Polish reports, known as the facts and documents concerning Polish prisoners of war captured by the U. S. S. R. during the 1939 campaign?

General BISSELL. I have got that in my story here. I will find it.

Mr. MITCHELL. And the supplemental report on facts and documents concerning the Katyn massacre, which is the one that was just referred to?

General BISSELL. That is 1946, and the Polish-London report is page 43.

On November 20, 1947, after a dinner with a small group of Poles, and during the course of a social evening—

Mr. MITCHELL. Wait a minute. What is that date? Was that November 27? What year?

General BISSELL. On November 20, 1947—and I went to London in 1946.

You asked me when I got those papers. I am trying to paint the picture precisely for you.

On November 20, 1947, after a dinner with a small group of Poles and during the course of a social evening in the home of one of these Polish couples in London, arrangements were made for me to meet with a Polish gentleman who was stated to have assembled all the available Polish information on Katyn. The meeting occurred on November 25, 1947.

Again I was told the story of the massacre of thousands of Poles by the speaker, who stated he believed that it had been committed by the Russians. He wished the information brought to the attention of the Americans at Nuremberg. I made a request for all the data they wished to furnish me.

I agreed thereafter that the action would be taken that was considered appropriate, after a check of the nature of the data furnished me. I did not know what they were going to furnish me, and I did not want to be committed to get something into Nuremberg if it wasn't right.

Arrangements were made for another meeting at which all the available material would be delivered to me in writing.

Within a week, the material was furnished to me. On December 2, 1947, I telephoned Gen. Telford Taylor at Nuremberg, telephone Justice 6117, and told him guardedly what I had secured, and that it was for the United States group at the International Military Tribunal, that I thought he should see it promptly.

He said he would send a plane for it within 3 days. This arrangement did not eventuate, so other arrangements for delivery were made.

On December 15, 1947, I talked with General Taylor on the telephone. He then informed me the material had been received, ex-

pressed appreciation, but made no other comment to me then or ever subsequently.

Following what was routine procedure, G-2 Washington was advised of the procurement of this London Katyn report, and of its handling, having been forwarded to General Taylor. I believe no duplicate copy was available to send to G-2 in Washington, and I requested General Taylor to send to G-2 the copy furnished him when it had served his purposes. I believe this copy was duly received, because Mr. Shackelford told me he had seen a copy and his comments concerning it convinced me that he had.

The Katyn report forwarded from London to General Taylor and subsequently to G-2, consisted of two voluminous reports totaling 529 pages. They were in English. I believe they were anonymous, though—as I recall, there was a statement in them that the Polish sources had been used; in part the matter was repetitious, but it did contain a most comprehensive account that obviously had involved a great effort. These papers reached no stated conclusion of guilt, but tended to build up a case against the Communists. I have reason to believe that one copy of this report had been before the Nuremberg Tribunal in June 1946 and was rejected.

Mr. MITCHELL. That is the point exactly, right there.

Mr. SHEEHAN. Is he right on his dates?

Mr. MITCHELL. I want to point out the Inspector General's report is totally inadequate, because it mentions no data as to what the general is giving here. Obviously he must have talked to the general, because he is talking about November 1947 and they leave out when he sent these documents to General Taylor.

The Nuremberg trials were July 1 and July 2, 1946, when the Katyn affair was involved, and it was on the Goering indictment at that time.

Therefore, the date that was sent to General Taylor in December 1947, was wholly unnecessary. There was nothing that could have been done with it at that particular time. However, the general has just made the statement that he had reason to believe that these same documents were present at the Nuremberg trials.

Could you explain that further?

General BISSELL. I never had an opportunity to read the Nuremberg report until I came up here last month, when I read them and found what I thought was the same thing.

Mr. MACHROWICZ. That is the reason you had to believe they were——

General BISSELL. The Russian counsel is quoted in the Nuremberg reports as describing the paper as anonymous, as in English, as having been published in London and as not being admissible, because it was from Polish sources and they were not admitting it at Nuremberg, as I understood it, in reading it. I did not look at it too carefully. There is a lot of stuff on Nuremberg. They were not admitting as evidence anything on this particular case, except official Government papers.

The Russian paper was an official Government paper, but the Russians had not recognized that Polish Government that was in London at this time. They had severed relations with the Poles when the Poles asked the International Red Cross to intercede.

So, that made the document inadmissible.

Mr. MACHROWICZ. Who was offering that document in evidence in Nuremberg? I frankly have not seen any mention of it. I don't know if our counsel has or not.

General BISSELL. One of the counsel for either——

Mr. MACHROWICZ. Goering?

General BISSELL. Or another defendant. Two were being tried jointly at that particular moment. Now, please don't misunderstand me at all. I knew about Nuremberg. I visited Nuremberg when the principal criminals were being tried.

Mr. MITCHELL. That was at this time?

General BISSELL. No.

Mr. MITCHELL. Yes. Goering was the principal witness.

General BISSELL. But this was 1947, and the time I visited them was earlier than that.

Mr. MACHROWICZ. Frankly, I am confused again. I have not read all of the Nuremberg trial proceedings, although I have some of them, and frankly I saw no mention of anyone offering in evidence any documents obtained from the London government.

General BISSELL. Yes; I think they tried to get this one in.

Mr. MACHROWICZ. I would like to ask our counsel, who I presume has checked the Nuremberg trials, Is there any record of anyone offering them in evidence?

Mr. MITCHELL. If you will recall, when we had Mr. Kempner on the stand in Frankfurt, several volumes of the Nuremberg trials were mentioned in the course of that, I believe when they were submitting documentary evidence, although I have not checked the official documents because they are not contained in the trial hearings, as yet. But I intended to do that in the near future, and I will check that very point. However, if the general can tell me which volume and where it is, I will be very appreciative.

General BISSELL. Mr. Shackelford can, but I can't. His office made some references to where things appeared. I didn't have time to read many of them. I ran into that one and that is the reason that I have it in here, because it seems to be bearing on the Nuremberg presentation on this particular material. I knew from personally being at the Nuremberg trial when the principal criminals were under trial, and talking with Telford Taylor there. They couldn't do that trial without the electrical set-up for the thing coming out in many languages. That broke down so I had a chance for an hour and a half to talk with Taylor. There was no mention of Katyn at that time. He was on another case. I was interested in these criminals in the box, because they left them there and the judges went out. I knew only the details on the Nuremberg thing since last April, and then not very thoroughly. There is supposed to be a book of documents. I didn't look at it at all at that time.

Mr. MACHROWICZ. Our committee was given the information in Europe that certain documents had been furnished by the Polish Government in London to the proper authorities in Nuremberg, and were never presented. Now, the information that you give me seems to bear out that that charge is not correct.

General BISSELL. They didn't let them present it.

Mr. MACHROWICZ. That is different.

General BISSELL. They got them ready.

Mr. MACHROWICZ. They were offered?

General BISSELL. And the Russian who was presiding that day made the decision, "We would agree only to take official documents and this one is not an official document because it is not of a government recognized by all of the members of the court."

Mr. MITCHELL. I believe that will be confirmed in our hearings, I believe, by both Dr. Stahmer and Mr. Kempner. Dr. Stahmer was the German defense counsel on the Katyn indictment on the Goering trial, and I think you will find that that is correct, except that I do think there was some mention in the record, which I have not had an opportunity to check but which we will take up later when we go in that aspect of the case.

Mr. SHACKELFORD. I will be glad to check our own records with regard to the Nuremberg trials and volumes and supply any pertinent citations which we may have to the committee.

Mr. SHEEHAN. Might I ask you to refresh my recollection on the Nuremberg trials? Weren't they started in November of 1945 and finished in July or August of 1946?

Mr. MITCHELL. What happened was this: They started discussing the Katyn affair or indictment. They didn't know where to put it. So they finally selected Goering as a major war criminal. They put it in his indictment. They came up with the discussion in February 1946 as to how many witnesses each side would be permitted to call, and they haggled over it for 2 or 3 or 4 months. On June 29, if my memory serves me correctly, the presiding judge at that time, who was—

Mr. DONDERO. Lawrence, Judge Lawrence.

Mr. MITCHELL. Judge Lawrence, of the British, finally ruled and told both of them, "You will have three witnesses and only three witnesses," and they had those people up, cross-examination of both sides, July 1 and July 2, 1946. There was a summary by Dr. Stahmer, the German defense counsel, I believe, on July 6. There was no summary by the Russians or the Soviets, and the matter was dropped.

Mr. SHEEHAN. That is what I am trying to tie up. The general is quoting November 1947 and the trials were all over.

Mr. MACHROWICZ. It was not stated by any witness in Frankfurt that any offer was made to present any evidence in Nuremberg in the form of a document from the Polish Government in London.

Mr. MITCHELL. There was a slight reference in which he gave us a reference to a volume, in which I have a reference, and which I intend to check.

General BISSELL. I knew all of the time when this fellow came to me and wanted me to present this particular thing at Nuremberg that the main criminal trials were finished and the criminals executed long since, or disposed of. Then the court kept on for a long, long time with the minor things before they broke it into small particles and it went on for a long time. When I first went there—I could get it out of these papers but it is not important—it was approximately a year earlier, and the main criminals were then on trial. But I knew it was not going to change the main trial but was going to get to Nuremberg everything I could get as fast as I could get it there.

Mr. MITCHELL. No further questions, sir.

Mr. SHEEHAN. I have one question, Mr. Chairman.

Counsel, you asked Colonel Van Vliet in his testimony, when he came back and was in General Bissell's office, if Colonel Van Vliet knew

or heard of a Lieutenant Colonel Holloman. Did you have any particular purpose in that?

Mr. MITCHELL. Yes, sir; that was cleared up yesterday by Mrs. Mildred Meeres when I talked to her. Holloman's identity was mistaken for Lantaff. In other words, Lantaff in the record there is Holloman, really. Holloman has taken quite a beating from the Inspector General's office and everything as regards the mistaken identity on the part of Mrs. Mildred Meeres, and she went back to the War Department yesterday after meeting Congressman Lantaff and corrected the file as far as who the individual was, and it was Congressman Lantaff, not Holloman. At that time I was merely exploring.

General BISSELL. I think I can help you on that. Holloman was the head of the section for which Mrs. Meeres worked, and she only was in our office for this one thing. That is why Congressman Lantaff was the man instead of the colonel in his own section.

Chairman MADDEN. General Bissell, the committee wishes to thank you for testifying here today. Considering the extended versions of the testimony presented in regard to the particular report which the committee is interested in, there is no doubt but what the committee will have to explore further as to whether there is any possible avenue to determine the whereabouts or what happened to that particular report. We will make every effort by further witnesses which we will call. There is a possibility that we might want further testimony from you. Of course, our committee is merely interested in concrete testimony if we can secure it, or proof as to where the original Van Vliet report went. Inferences or suppositions will not satisfy the public as to what happened to the report. Of course, the testimony here today, possibly the highlight of the testimony, was the Inspector General's report, and I wrote it down as the testimony came out that in the Inspector General's report it said, in conclusions of it, there is no proof that the Van Vliet report ever left the office where it originated. I asked you about that, and you said that is correct.

General BISSELL. I confirmed it.

Chairman MADDEN. Now, of course, I know that the members of the committee are not satisfied as to its proposed exploration to determine the whereabouts or what happened to the Van Vliet report. So we will explore further and possibly we might have you testify again, I don't know. But nevertheless we are thankful for your presence here today.

General BISSELL. Be assured I not only welcome that, but hope you will.

Chairman MADDEN. The committee will meet tomorrow morning at 10 o'clock, in this room.

(Whereupon, at 5 p. m. the committee was recessed, to reconvene at 10 a. m., Wednesday, June 4, 1952.)

# THE KATYN FOREST MASSACRE

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WEDNESDAY, JUNE 4, 1952

HOUSE OF REPRESENTATIVES,  
THE SELECT COMMITTEE ON THE  
KATYN FOREST MASSACRE,  
*Washington, D. C.*

The select committee met at 10 a. m., pursuant to recess, in room 362, House Office Building, Hon. Ray J. Madden (chairman), presiding.

Present: Messrs. Madden, Flood, Machrowicz, Dondero, O'Konski, and Sheehan.

Also present: John J. Mitchell, chief counsel to the select committee.

Chairman MADDEN. The committee will come to order.

Mr. MITCHELL. Mr. Chairman, I have a few brief remarks I would like to direct to the attention of the entire committee.

You will recall that when we were in Chicago taking the testimony of Col. Henry Szymanski, Colonel Szymanski took out of his personal file some documents which we put into the record as exhibits. At that time the staff of this committee had never seen those; neither had any member of this committee. Yesterday the same incident occurred here on the stand when General Bissell was testifying. The War Department counselor, Mr. Shackelford, brought out some additional letters.

You will also recall that this committee visited with the President of the United States in January, at which time this committee was assured that all official documents pertaining to the missing Polish officers and the Katyn massacre would be made available to this committee.

This committee has repeatedly requested verbally of the War Department counsellor's office all documents connected with it. I am sorry to say this morning that I have been placed in a rather embarrassing position several times in the course of these hearings.

I would like to state openly that all documents in the War Department pertaining to the missing Polish officers and the Katyn affair should be presented to this committee.

Mr. MACHROWICZ. Mr. Chairman, would it not be better to wait until Mr. Shackelford is here before making that statement?

Mr. MITCHELL. His representative is here and has heard the remark. I am referring to Mr. Facher.

Mr. MACHROWICZ. Is Mr. Shackelford going to be here this morning?

Mr. FACHER (Jerome P. Facher, assistant to F. Shackelford, counselor, Department of the Army). He will be unable to be here today.

Mr. MACHROWICZ. Do you want to make any statement in connection with that?

Mr. FACHER. No, sir. We are trying to uncover all the documents for the committee and there are several that are going to be forwarded later in the week.

Mr. MITCHELL. Thank you, sir.

The first witness this morning is Colonel Yeaton.

Chairman MADDEN. Colonel Ivan Yeaton. Will you step forward, please, and raise your right hand and be sworn?

Do you solemnly swear that in this hearing you will tell the truth, the whole truth, and nothing but the truth, so help your God?

Colonel YEATON. I do, sir.

**TESTIMONY OF IVAN DOWNS YEATON, UNITED STATES ARMY,  
ACCOMPANIED BY JEROME FACHER, ASSISTANT TO F. SHACKEL-  
FORD, COUNSELOR, DEPARTMENT OF THE ARMY**

Mr. MITCHELL. Colonel Yeaton, will you tell the committee your full name for the record, please?

Colonel YEATON. Ivan Downs Yeaton.

Mr. MITCHELL. And your home address, please?

Colonel YEATON. My home address at present is Fort Wayne, Detroit, Mich.

Mr. MITCHELL. Colonel Yeaton, will you state the date of your birth?

Colonel YEATON. I was born January 2, 1895, at Haverhill, Mass.

Mr. MITCHELL. Will you state briefly your educational background for the committee?

Colonel YEATON. Grammar school in Boston or Allston, Mass.; high school, Pasadena, Calif.

I have a degree in osteopathy from the College of Osteopathic Physicians and Surgeons in Los Angeles, and I took a year's postgraduate work in the College of Physicians and Surgeons in San Francisco, and interned in the City County Hospital in San Francisco.

Mr. MITCHELL. Did you attend the United States Military Academy at West Point?

Colonel YEATON. I did not, sir.

Mr. MITCHELL. When did you first enter the Army?

Colonel YEATON. Seventeenth of September 1917.

Mr. MITCHELL. How long have you been in the United States Army?

Colonel YEATON. Ever since, with the exception of 1 year's retirement, which was last year.

Mr. MITCHELL. What was your official duty station on September 1, 1939, and in what capacity were you serving?

Colonel YEATON. September 1, 1939, I was designated as military attaché to the Soviet Union. I am not quite sure where I was. I don't think I had joined my station, but I was en route.

Mr. MITCHELL. Was your official position at that time in any way connected with interpretive duties?

Colonel YEATON. At that time I was to be military attaché to the Soviet Union. It was my duty to collect information and to evaluate it. Yes, sir.

Mr. MITCHELL. Did you speak the Russian language, or write it, or read it?



Colonel YEATON. I did, sir.

Mr. MITCHELL. When did you first know about the missing Polish officers?

Colonel YEATON. At a dinner party given in the American Embassy by Ambassador Steinhardt during the summer of 1941.

General Anders, of the Polish Army, had just been released by the Soviets and was entertained by Ambassador Steinhardt, and at that dinner party, General Anders spoke to me about his concern over his closest friends and his immediate staff in addition to some thousands of other Polish officers.

Mr. MITCHELL. Could you tell the committee the substance of General Anders conversation with you and who might have been present during the course of that conversation?

Colonel YEATON. There was no one else present. General Anders took me over in a corner to one side and said he was deeply concerned over the whereabouts and the well-being of these officers. That is about the extent of the conversation.

Mr. MITCHELL. Did you have any further conversations with General Anders while you were in Russia?

Colonel YEATON. No, sir.

Mr. MITCHELL. When did you leave Russia?

Colonel YEATON. I left Russia in October of 1941.

Mr. MITCHELL. What was the reason for your leaving Russia in October 1941?

Colonel YEATON. I was recalled, sir.

Mr. MITCHELL. Recalled to where?

Colonel YEATON. Recalled to the United States to report to Washington temporarily and then report to the Seventh Division, then in training on the Pacific coast.

Mr. MITCHELL. Were you the only one to return from Russia at that time?

Colonel YEATON. I was, sir.

Mr. MITCHELL. What happened to the other members of the Embassy staff in Moscow at that time?

Colonel YEATON. At that time we were in Kubishev, and the staff remained here for some time until the diplomatic corps was permitted to go back to Moscow.

Mr. MITCHELL. In other words, there was a shift of the Embassy staff location beginning when, from Moscow to Kubishev?

Colonel YEATON. If my notes serve me right, we left Moscow on the 15th of October 1941, and I left Kubishev on the 26th of October, the same year.

Mr. MITCHELL. Will you tell the committee what you did when you returned to the United States and what your next assignment was?

Colonel YEATON. My next assignment was chief of the subsection of the East European Section of G-2. The first assignment that I was given was to write a G-2 summary on the Soviet Union, which would cover a chapter on politics, a chapter on the economics of the Soviet Union, a chapter on the military, and so forth.

G-2 at that time was to try to assemble a basic document on every country on earth. The Soviet Union was the only country on which we had no such document, and they had been assembling notes and data for some time. But there was nobody in G-2 who was qualified to put these notes together and assemble the needed document.

So my first job was to make and write this document.

Mr. SHEEHAN. What day was that, Colonel?

Colonel YEATON. That started around January 2, 1942, and it took me approximately 90 days to complete the work.

Mr. MITCHELL. What was your next assignment upon completion of this history on the Soviet Union for G-2?

Colonel YEATON. I became chief of the section, as the chief at that time was transferred overseas.

Mr. MITCHELL. What section was that, specifically?

Colonel YEATON. Eastern European, sir.

Mr. MITCHELL. What did Eastern European include?

Colonel YEATON. Poland and the Soviet Union, the Baltic states, and the Scandinavian states.

Mr. MITCHELL. Without breaching security, could you tell this committee your primary functions at that time?

Colonel YEATON. The primary function of a chief of section at that time was to evaluate incoming information for the benefit of his superiors, to make whatever predictions he was called upon to make, and to file and record these documents.

Mr. MITCHELL. How many people did you have working for you in the Eastern European Section at that time?

Colonel YEATON. During the early part of 1942, I would say we had not over three or four officers. We started out with one. I think I was the second one. And we grew rapidly from then on.

Mr. MITCHELL. Did you know Col. Henry I. Szymanski?

Colonel YEATON. I did, sir.

Mr. MITCHELL. Where did you first know him?

Colonel YEATON. In the office of G-2. He was sent into the Eastern European Section for briefing before he was sent overseas.

Mr. MITCHELL. When did he go overseas, do you recall?

Colonel YEATON. It was in the spring of 1942. I don't recall the date.

Mr. MITCHELL. Are you at liberty to tell the committee the assignment that Col. Henry I. Szymanski received and the briefing that he received before he went over?

Colonel YEATON. Certainly. He was sent out as assistant military attaché to Cairo, with his main duty as liaison to the Polish forces to be gathered there.

And as chief of the section, I had operational control over him.

Mr. MITCHELL. What instructions were given to Col. Henry Szymanski about filing reports?

Colonel YEATON. Szymanski, as assistant military attaché, would be guided locally by the orders of his military attaché as to the reports that he sent in; it became my business to file them.

Mr. MITCHELL. Do you recall receiving any reports from Col. Henry Szymanski?

Colonel YEATON. I received many reports from him.

Mr. MITCHELL. Have you read the record of Col. Henry I. Szymanski's testimony before this committee in Chicago on March 14?

Colonel YEATON. I read the pamphlet that you gave me the other day, sir. I think that is the one you mean.

Mr. MITCHELL. Have you read the exhibits that are affixed thereto?

Colonel YEATON. I have, sir.

Mr. MITCHELL. Do you remember or recall having seen those documents coming into G-2 from Col. Henry I. Szymanski?

Colonel YEATON. I did, sir.

Mr. MITCHELL. Could you tell the committee what happened to those documents as they were received, what the procedure was in connection with such documents?

Colonel YEATON. At that time, the organization of G-2 had what is known as a reading panel. There were three officers detailed down to the records section. Military attaché reports came in in 10 copies, I believe. The original, from which additional copies could be made, was sent to the records section. Of the 10 remaining copies, the reading panel decided on the distribution.

And as long as I was the responsible section chief, all extra copies would of necessity come to me. In my office these reports were filed under my Polish intelligence group.

Mr. MITCHELL. Polish intelligence group—how many individuals were working at that time, and what was their primary duty?

Colonel YEATON. My memory doesn't serve me. I am not sure how large the section was at that time.

Mr. MITCHELL. All right; proceed, please.

Mr. MACHROWICZ. That is one section of the question. But the other section of the question was, What was their primary duty? Could you answer that part of the question?

Colonel YEATON. The primary duty of what, sir?

Mr. MACHROWICZ. Of this particular section, the Polish intelligence section.

Colonel YEATON. The Polish intelligence subsection's primary duties, were to file, evaluate, make such memoranda as they thought necessary.

And our main interest at that time was the size and training and possible use of the Polish Army in the Far East.

Therefore, the subject of missing officers was one of vital importance to us, if they were still alive and where they were and what action it would take, or what help we could give the Poles in getting them out of prison camps or wherever they were. They were simply listed as missing officers, and, as such, in the Polish file; there was a section where reports that dealt with these missing officers were filed separately.

You must understand at this time we were getting Polish intelligence from the Polish Government in exile and London and through the Polish diplomatic group here in Washington. So I had Polish intelligence coming in from at least two sources.

But all reports wound up in the same file.

Mr. MITCHELL. Did you say all the reports wound up in the same file?

Colonel YEATON. At that time; yes, sir.

Mr. MITCHELL. At that time?

Colonel YEATON. That is right.

Mr. MITCHELL. Mr. Chairman and members of the committee, I have never seen any reports, from any other source other than from Col. Henry Szymanski.

Colonel, you have read the exhibits which are in part 3 of Col. Henry Szymanski's testimony. Are those all of Col. Henry Szymanski's reports, to your knowledge, or were there additional reports?

Colonel YEATON. I think there were more than that, sir.

Mr. MITCHELL. You think there were more than that?

Colonel YEATON. Yes.

Mr. MACHROWICZ. Mr. Chairman at this point of the proceedings, I would like to ask the representative of the Department of Defense where the additional reports are. Mr. Facher is here speaking on behalf of the Department of Defense. Is that correct?

Mr. FACHER. That is right.

Mr. MITCHELL. Will you identify yourself for the record, please?

Mr. FACHER. I am Jerome P. Facher, assistant to F. Shackelford, Department of the Army counselor.

To the best of our knowledge, we have located all the reports that Col. Henry I. Szymanski has sent in.

Mr. MACHROWICZ. Have you turned them all over to the committee?

Mr. FACHER. We have turned all the reports of Colonel Szymanski that we have located over to the committee.

Mr. MACHROWICZ. There is evidently a difference of opinion between you and the colonel.

Am I correct, Colonel, that you made the statement that not all the reports are included in the list of those which you have seen in the transcript of testimony?

Colonel YEATON. You must understand, sir, that all the reports that Szymanski sent in didn't have to do with Katyn.

Mr. MACHROWICZ. Are all the reports of Colonel Szymanski in relation to the Polish officers and Katyn included in that list?

Colonel YEATON. I can't say positively.

Mr. MACHROWICZ. Are there any other reports relating to the missing Polish officers, or to Katyn, other than those which have been listed in your testimony before the committee, that you know of?

Colonel YEATON. That I know of, sir; no. Not that I know of.

Chairman MADDEN. Just a moment. Then your statement that you made a moment ago dealt with Colonel Szymanski's reports not only concerning Katyn, but as to other matters also; is that correct?

Colonel YEATON. Yes, sir.

Mr. MITCHELL. I believe the record will show that he was also responsible for liaison with the Czechoslovakians; is that correct?

General YEATON. That is true.

Mr. MITCHELL. I think he told us that in Chicago.

Mr. SHEEHAN. Mr. Chairman, is it your pleasure to question the witness as he goes along, or to wait until he makes his statement?

Chairman MADDEN. Did you have a statement you wanted to make, Colonel?

Colonel YEATON. No, sir.

Chairman MADDEN. You can pursue your questions, Mr. Sheehan.

Mr. SHEEHAN. Colonel, there is a distinction that the gentleman to your right drew. He said that all the papers of Colonel Szymanski were turned in. The committee is concerned with all the papers and all the reports containing the Katyn Forest massacre, from whatever source. Has the Army turned over to the committee all the papers referring to the Katyn massacre situation, from whatever source?

Colonel YEATON. I have no way of knowing, sir.

Mr. SHEEHAN. Will Mr. Facher answer that?

**Mr. FACHER.** To the best of my knowledge, Mr. Sheehan, that has been done. The search for missing papers is still continuing, and we have several other documents which we are going to forward this week.

I might say that we have forwarded to your committee military attaché reports from Iran and from other countries.

I believe Mr. Mitchell will find from some of our forwarding letters that we did send some of those reports over.

**Mr. MITCHELL.** That is correct.

**Mr. SHEEHAN.** The Army turned it over, of course, and it had specifically to do with the Van Vliet report.

We know that Colonel Hulls—which is one of those debatable things—made a report, which the Army has refused to declassify, although they did turn it over to us.

We do know that the military attaché in Lisbon in 1942 and 1943 made quite a few reports regarding the Polish missing officers, which I do not think the Army has officially turned over.

Now, it would seem to me that, on the basis of these reports that we know about, there must be a lot of other reports.

You mentioned a while ago that you had a separate section or a separate file folder for the various reports on the missing Polish officers. Now, could you tell the committee, was this given any particular number or file name or something?

**Colonel YEATON.** That question, sir, can only be answered if you will put a date to it.

**Mr. SHEEHAN.** Let me put the date from 1941 to 1946, inclusive, all reports concerning the missing Polish officers, from whatever source.

**Colonel YEATON.** On July 1, 1943, the Eastern European Section became a branch. Any reports coming from Spain would not come into the Eastern European Section.

**Mr. SHEEHAN.** Even if they specifically referred only to Russians and Polish relations?

**Colonel YEATON.** We would be given a copy.

**Mr. SHEEHAN.** Certainly.

**Colonel YEATON.** But the basic reports would not be in our office, but we would be kept advised.

**Mr. SHEEHAN.** We are interested in anything. Copies. We do not necessarily want the official reports.

**Colonel YEATON.** Yes, sir.

Then on September 1 I became chief of the unit and no longer responsible for the files of any of the branches. I was the over-all chief of Europe, Middle East, and Africa, and, as such, we didn't keep any files in our office.

**Mr. MITCHELL.** What year was that?

**Colonel YEATON.** That was on September 1, 1943.

**Mr. SHEEHAN.** But Colonel, even if you became chief of the European Section, someone succeeded you in that Polish-Russian section, did he not?

**Colonel YEATON.** That is true, sir.

**Mr. MITCHELL.** He would inherit all the papers that were there, would he not?

**Colonel YEATON.** That is right.

Mr. SHEEHAN. The files would be continued, would they not?

Colonel YEATON. All the files.

Mr. SHEEHAN. Mr. Chairman, it seems to me we should get after the Army. There are still reports we do not know about.

May I proceed a little while before we go on that?

In handling your eastern European end in 1941 and 1943, when you were in charge of that, did you work closely with the State Department in this respect: Assume the State Department got information from the Ambassador or someone directly to the State Department concerning, say, missing Polish officers or military problems, would they refer that to you, a copy of it, or something like that?

Colonel YEATON. I would say so, normally.

Mr. SHEEHAN. In other words, G-2 was sort of a clearing house on all phases of the military situation as it affected the political situation also?

Colonel YEATON. I would rather say liaison than a clearing house.

Mr. SHEEHAN. Then you reported your talk with Anders to Ambassador Steinhardt—and there must be other Ambassadors to Russia by this time—who had reports on the missing Polish officers? The State Department must have referred some of these reports to the Army, did they not?

Colonel YEATON. I can only answer that by saying that they attempted to keep us in the picture. Now, I couldn't pin down any one report.

Mr. SHEEHAN. No specific one. But by keeping you in the picture sometimes between 1941 to 1945, State must have referred items of strictly military interest to G-2 concerning Polish officers and the Polish-Russian situation.

The Army, so far as I know, Mr. Mitchell, has not come up with any of that. Has it?

Mr. MITCHELL. State Department or G-2?

Mr. SHEEHAN. G-2 has not come up with any State Department reports.

Mr. MITCHELL. No. The only thing I got from G-2 is already on the record, or whatever they may have given in my absence during the European trip of the committee. I will search the files and correct any misstatements that may have been made this morning.

Mr. MACHROWICZ. And that was only after we informed them of the existence of the documents, particularly of the Szymanski report.

Mr. MITCHELL. That is correct.

Mr. MACHROWICZ. They did not submit them to us until we found out about them from outside sources.

Mr. MITCHELL. I will correct the record on that point.

If you will recall, Mr. Machrowicz, you were in town last December. We got four of the nine attachments to Col. Henry Szymanski's report, and then in January we finally got the rest of them after we were informed from outside sources as to their whereabouts. Correct?

Mr. MACHROWICZ. That is correct.

Mr. SHEEHAN. Colonel, just to pursue that a minute longer, so I can finish at this point here: When you were talking about a file where all these materials were channeled or sent to, do you recall any particular designation or file number or file classification given to that, from memory, or from any facts you might have there?

Colonel YEATON. That file number would be put on down in the receiving room by this panel that I spoke about. They determined where it would be filed and what the distribution would be. That was not a part of the branch chief's duty.

Mr. SHEEHAN. Do you remember the names of this panel, for the record?

Colonel YEATON. No. It was constantly changing. I know that Dave Crist, out of my office, was on it some time, but it wasn't—

Mr. MITCHELL. Mr. Sheehan, I would like to interrupt for one moment.

Mr. Chairman, I would now like to ask the War Department counselor for a complete personnel breakdown of all individuals in the EE section and the Balkan section from the year 1942, when we became involved in World War II, through May 1945.

Mr. MACHROWICZ. What is the EE section? Is that the Eastern European?

Mr. MITCHELL. That includes Poland and Russia.

I would also like to see the names of the individuals connected with the Balkan section in G-2.

Mr. SHEEHAN. I might say for the record here—and Mr. Mitchell and Mr. Madden will agree with this—that when we visited the President, he did not directly say he would have all the executive departments deliver to us or send to us whatever material they had on Katyn.

Is that right, Mr. Mitchell? Do you remember that?

Mr. MITCHELL. I do not recall whether he said that they would take the initiative, or whether we would take the initiative, but I do recall that when we walked out of that office, I had the very definite understanding that anything that was available this committee could have.

My protest this morning was on the fact that twice in official testimony before this committee I have been caught by surprise when witnesses produced documents either from War Department files or their own personal files.

The latest illustration was General Bissell yesterday, on the letter of May 25, 1945, about the Swiss protecting power.

Thank you, Mr. Sheehan.

Now, Colonel Yeaton, I would like to show you exhibit No. 12. I don't think that the exhibit, in part 3, has on it the routing of the various reports as they came in. This is the top cover sheet of exhibit No. 12. It comes from the "Military Intelligence Division, WGS, military attaché report, Poland. Subject: Polish Army in England and the Middle East. From: M. A., liaison officer. November 6, 1942, source and degree of reliability: Gen. Wladyslaw Sikorski, Lt. Gen. Wladyslaw Anders."

Down in the lower left-hand corner is:

"Auth.: Colonel Yeaton. Date: 11-30-1942. Number of copies: 13."

I would like you to read it. Will you read, for the committee, what other departments received or were notified of that report?



Colonel YEATON. The Office of Naval Intelligence received a copy. The recording section received the original. The British Empire section received a copy. Air Intelligence received a copy.

The Middle East section received a copy and the eastern European section received six copies.

Mr. MACHROWICZ. Mr. Chairman, I have just one question in connection with that.

What does that report deal with?

Mr. MITCHELL. It is on the record. The balance of the report is in the record.

Mr. MACHROWICZ. But just generally, Colonel, can you tell us what that report deals with?

Colonel YEATON. Minutes of the meeting on organization of the Polish forces in the Middle East, a chart of defensive disposition of the Polish Corps in Scotland, a chart of the organization of the First Army of the Motorized Corps, and a chart of the organization of the territorial units.

Mr. MACHROWICZ. Who had charge of routing copies of this report to the various other departments?

Colonel YEATON. The reading panel, sir.

Mr. MACHROWICZ. Did you have charge of it?

Colonel YEATON. No, sir.

Mr. MACHROWICZ. Did the Department of State receive a copy?

Colonel YEATON. No, sir; it is not so recorded on here.

Mr. MITCHELL. Just so there will be no misunderstanding, I would now like to have the War Department counselor's representative, Mr. Facher, make a note that I would like to have the names of the various reading panel members in G-2 from April 1942 until December 1943.

I believe it was December 18 that Colonel Szymanski was relieved of his duty as assistant military attaché. Is that correct, Mr. Machrowicz?

Mr. MACHROWICZ. I do not know. I do not remember the date.

Mr. MITCHELL. Are there any further questions from the committee?

Mr. O'KONSKI. Why was he relieved of his duty?

Mr. MACHROWICZ. I will tell my colleague from Wisconsin I am very much interested in bringing that point out, and I will bring it out later in the cross-examination, if I am permitted to do so.

Mr. O'KONSKI. I shall look forward to it very much.

Mr. MITCHELL. Would you like to ask the colonel about page 418, part 3, at this time, Mr. O'Konski?

Mr. O'KONSKI. No.

Mr. MITCHELL. Colonel, I would like to proceed a little further by asking what was the procedure within the office of G-2 when such reports were received, and how did the information channel up to the head of G-2 and thence to the Joint Chiefs of Staff, or wherever else it may have been sent? How was it done? Who did it? Was it oral briefing, or was it in memorandum form? What was it?

Colonel YEATON. The information that came in on these attaché reports was broken down according to subject and could have been handled in one of several manners. Any intelligence or any information on the Polish troops in the Near East was a matter of great

concern to the G-3 section of the War Department, the plans and training, because they were responsible for the strategy and the orders pertaining to the Allied troops that we had anything to do with.

Information on the missing Polish officers was of spot intelligence value to us as long as we thought they were alive, because they were the cream of the Polish Army, and their presence with the new Polish Army would have been of vital importance. Once we were sure they were dead, the question of who killed them, or how, was not of spot intelligence value; it was a matter for further investigation.

Now to come back to these reports of Szymanski, certain parts of the information were broken down into separate reports and sent upstairs to the Plans and Intelligence Division where they kept daily account of the strength of that organization, its training, and its location.

Information on the whereabouts or the death of the missing officers was handled occasionally by verbal report and other informal memoranda to G-2, so that they could be used as briefing material for the Chief of Staff on the following morning.

When the Germans released their propaganda blast, that was spot news for the minute, because we were, as branch chiefs, responsible that any information coming in over the air would be immediately evaluated by the chief in question and presented to G-2 or the Director of Intelligence, so that, if the Secretary of War or the Chief of Staff called down and said, "What does this latest propaganda mean?" G-2 would be in a position to give him at least the evaluation of his chief of section.

I think that answers your question.

Mr. MACHROWICZ. Let me ask you a question in connection with that, Colonel.

Are you now telling us that Colonel Szymanski's report dealt only with the death of the Polish officers?

Colonel YEATON. No, sir.

Mr. MACHROWICZ. Were there sections of that report which dealt with matters in which your department was concerned?

Colonel YEATON. Yes, sir.

Mr. MACHROWICZ. Were there sections of that report which dealt with the question of maintaining peace in Eastern Europe?

Let me refer to you one of the statements in his report:

1. Polish-Soviet relations are marked by differences which are in my humble opinion irreconcilable.

2. These differences are irreconcilable at present because (a) the Soviets did not carry out their end of the Polish-Soviet nonaggression pact; (b) the Soviets are not carrying out the provisions of the Polish-Soviet agreement of July 30, 1941; (c) Stalin's promises to Sikorski and Roosevelt are not being kept; (d) there are still some 900,000 Polish citizens, deportees, in Russia, slowly being exterminated through overwork and undernourishment; (e) there are still some 50,000 Polish children slowly dying of starvation.

3. If the Soviets forsake their communistic and imperialistic aspirations there is a good chance that peace may reign in the eastern part of Poland.

4. The Polish Government and Army officials are making a determined effort to reconcile the differences. The attitude of the Government is realistic.

Would you say that that section of the report and the reports which preceded it, upon which these conclusions were based, were an important thing, so far as your department was concerned?

Colonel YEATON. I don't want to answer that "yes" or "no," sir. That report was made by an assistant military attaché. His first

duty is to bring that matter that you bring up to the attention of the military attaché, who, in turn, should have brought it immediately to the attention of the Ambassador.

That is a matter that the military are not supposed to get into.

Mr. MACHROWICZ. Would you say it is a matter in which the Department of State should get into?

Colonel YEATON. Decidedly, sir.

Mr. MACHROWICZ. Did you or anyone in your department bring this report to the attention of the Department of State?

Colonel YEATON. It should have been done in Cairo, sir, not from my office.

Mr. MACHROWICZ. I do not care where it should have been done, and I do not care about technicalities. I care about realities.

Was that report which your department received ever brought to the attention of the Department of State?

Colonel YEATON. Not to my knowledge.

Mr. MACHROWICZ. Did you think it should have been?

Colonel YEATON. This particular report, sir?

Mr. MACHROWICZ. Yes.

Mr. MITCHELL. Do you mean this report we have here, or the one you read, sir?

Mr. MACHROWICZ. This particular report that I read from.

Mr. MITCHELL. Which exhibit is it, please?

Mr. MACHROWICZ. Exhibit 11.

Mr. MITCHELL. What page is that on, sir?

Mr. MACHROWICZ. Page 458 of part 3.

Mr. MITCHELL. "Future Polish-Soviet relations?"

Mr. MACHROWICZ. That is right.

Colonel YEATON. I would have to see the covering sheet. I am not sure that wasn't sent to the State Department, sir.

Mr. MACHROWICZ. I might tell you, for your information, that Mr. Shackelford testified before our committee and said that it had not been sent to the Department of State.

Now, I am going to ask Mr. Facher, is that correct?

Mr. FACHER. I am sorry, sir; I can't say.

Mr. MACHROWICZ. I think the record will speak for itself that Mr. Shackelford said before the committee that that report had never been forwarded to the Department of State for its information.

If you have something to counter it, I would like to know.

Colonel YEATON. I have nothing to counter it.

Mr. MITCHELL. I have the original right here, sir.

Mr. Chairman and the committee, I show you herewith the original letter transmitting the Szymanski reports, with the exhibits to which Congressman Machrowicz has referred, one of them he has read into the record just now. Here is the original letter. It says:

"Legation of the United States of America, Office of the Military Attaché, Cairo, Egypt."

"W. M. S." is up in the right-hand corner, with the "/LS" as the identifying number, IG No. 3600. The subject is: Polish-Russian Relations.

It is addressed to the Chief, Military Intelligence Service, War Department, Washington, D. C.

The letter states:

1. A deferred copy of letter submitted by Lt. Col. Henry I. Szymanski, covering nine appendixes pertaining to the Katyn affair is forwarded herewith.

It is signed by William S. Ward, colonel, military attaché.

Down in the lower left-hand corner it states "Enclosure: Letter with appendixes."

Mr. MACHROWICZ. Is there anything to show that it was forwarded to the Department of State?

Mr. MITCHELL. That is what I was going to ask the witness now. I cannot see it. There is nothing to show it on here, to my knowledge.

Mr. FLOOD. Ask the witness if there is any evidence of it.

Mr. MITCHELL. By Department of State does he mean the Ambassador in Egypt or here in Washington?

Mr. MACHROWICZ. I mean the Department of State. I do not care who it was in the Department of State.

Colonel YEATON. There is still missing from this document that cover sheet, and without that, this can't stick.

Mr. MACHROWICZ. I am still going to repeat my statement to you, Colonel. I realize you probably cannot answer that at this time, but Mr. Shackelford, on behalf of the Department of Defense, has already verified to this committee that that report has never been sent to the Department of State.

Now, I am going to ask you another question, to refer to page 472 of part 3 of the hearings. That is an excerpt of an enclosure, No. 5, in Colonel Szymanski's report. It is entitled as follows: "Will the Russians Fight Next Spring?" Was that subject matter of importance to your department?

Colonel YEATON. Decidedly, sir.

Mr. MACHROWICZ. Was it of importance to the Department of State?

Colonel YEATON. I would say more to us than them.

Mr. MACHROWICZ. Let me read to you what was contained in that report, which has now been declassified:

#### WILL THE RUSSIANS FIGHT NEXT SPRING?

Yes; if they find the Germans very weak. This winter they will conduct limited offensives in order to straighten their lines. Behind these lines, they will rest, reorganize, train and equip more divisions. They will wait until the Allies and Germans annihilate each other. They will wait until the German Army confronting them is so weak that their own effort will bring easy and huge results. They will not stop their westward march until the American Army stops them.

Europe is confronted with what seems to many of the powers an "either/or" choice; i. e., either German domination or Soviet domination.

There is little faith that the United States could control a victorious Russia at any peace-table conference.

One of Mr. Willkie's secretaries stated to me in Tehran that Russia and the United States will dictate the peace of Europe. When I repeated this (without mentioning the source) to a very prominent Pole in Tehran, he at first begged me not to jest, and then very suddenly said to me that "In that case Poland has lost the war and the Allies have lost the war."

The choice in Europe is not merely democracy versus Hitler, as so many Americans seem to think it is.

That is signed "Henry I. Szymanski, Lieutenant Colonel, Infantry, United States Army, Liaison Officer to Polish Army."

Was that information important to your department?

Colonel YEATON. Decidedly, sir.

Mr. MACHROWICZ. And to the Department of State?

Colonel YEATON. I assume so.

Mr. MACHROWICZ. And yet not one bit of evidence has been produced here that that report has ever been brought to the attention of the Department of State.

If that is true, would you say there was an error made on somebody's part in the Department of Defense?

Colonel YEATON. I can only report, sir, that the channel for this to get into the State Department was in Cairo. This military attaché is working for his ambassador, and it is up to him to report to his ambassador anything that even faintly touches a matter concerning the state.

Mr. MACHROWICZ. Colonel Szymanski was directly under your control; was he not?

Colonel YEATON. Directly under my control.

Mr. MACHROWICZ. When he reported it to you, and if you were not the proper source to receive that, was it not your duty to report it to the Department of State?

Colonel YEATON. No, sir.

Mr. MACHROWICZ. Instead of that, you put it in the warehouse in Alexandria?

Colonel YEATON. I did not, sir.

Mr. MACHROWICZ. That is where the committee found it.

I am going to ask you another question.

Mr. MITCHELL. Might I interrupt a minute, sir? I think that is an unfair statement to the colonel. He has come here voluntarily. I am sure that these reports were not in the warehouse when the colonel was in charge of this. We found them there later; yes.

Mr. MACHROWICZ. Let me ask you whether subsequent to the receipt of this report you sent a telegram to Colonel Szymanski.

Colonel YEATON. I sent him many telegrams, sir.

Mr. MACHROWICZ. Did you send him one as a direct result of that report?

Colonel YEATON. I do not remember, sir.

Mr. MACHROWICZ. Mr. Facher, do you have that telegram with you?

Mr. FACHER. No, sir; I do not.

Mr. MACHROWICZ. Where is it?

Mr. FACHER. Which telegram are you talking about, sir?

Mr. MACHROWICZ. I am talking about the telegram which was discussed in executive session of our committee, in which Colonel Szymanski was very thoroughly blamed for showing anti-Soviet leanings.

Let me ask the colonel: Do you remember the telegram? Now that I have refreshed you as to the text of the telegram, do you remember at any time sending a telegram or a cable to Cairo after receipt of these reports?

Mr. FACHER. Mr. Machrowicz, may I interrupt just a second?

I believe the contents of that telegram are still classified as to the personal information.

Mr. MACHROWICZ. I do not agree with you. Of course, the only reason it is classified is that it is embarrassing to someone in the Department. And I think it is about time we found out.

Mr. MITCHELL. To bring us up to date on that particular phase of it, when we returned to Chicago, we had that executive session with Mr.

Korth. I believe Mr. Shackelford was there, too, at that time. Then we departed for Europe. I am still waiting to see what they are going to do about that.

Mr. MACHROWICZ. I do not think we want to wait any longer.

Did you at that time think that Colonel Szymanski, because of this report, showed too much anti-Soviet tendencies?

Colonel YEATON. No, sir.

Mr. MACHROWICZ. Did you ever tell him so?

Colonel YEATON. Not to my knowledge.

Mr. MACHROWICZ. I am going to ask the chairman now that that wire should be brought to the attention of the committee. I think we have waited long enough.

Mr. FLOOD. May I interrupt? I have no objection to that, but may I say this: If you will yield for a question on the same thing—

Mr. MACHROWICZ. I will be glad to yield.

Mr. FLOOD. Do you remember, Colonel, drafting a cable or a wire or an order to Colonel Szymanski at Cairo, for General Strong or anybody else to Colonel Szymanski? Do you remember drafting such a statement advising Colonel Szymanski that his attitude was too anti-Soviet?

If you do not remember doing it yourself, on your own order, do you remember doing it on the order of General Strong, for General Strong, to Colonel Szymanski, advising him that, in the opinion of General Strong, Szymanski's conduct was too anti-Soviet?

Colonel YEATON. I don't ever remember that phrase; no, sir.

Mr. MITCHELL. Let us fix the date of that now.

Where were you in December 1943, and what were you in charge of, and would you be responsible for drafting such a telegram or cable?

Colonel YEATON. December 1943 I was chief of the European unit. That is all of Europe, Middle East, and Africa.

Mr. MITCHELL. Europe, Middle East, and Africa. The Middle East would be Cairo.

Colonel YEATON. If such a telegram originated in the Eastern European section—and a draft would have—it would have passed across my desk as a matter of information.

Mr. FLOOD. Do you remember?

Colonel YEATON. I remember there was a telegram sent out at that time, but the anti-Soviet part of it, I don't remember any such remark as that.

Mr. MACHROWICZ. Mr. Chairman, as I remember, the only reason Mr. Shackelford did not want to declassify that cablegram was because he thought it might be injurious to Colonel Szymanski.

Colonel Szymanski has advised this committee that he has no objection to that cablegram being declassified. I think it is important that we ought to have it.

Chairman MADDEN. It is my understanding that the Department of Defense has already gone on record that any matter connected with the Katyn problem is declassified. Is not that correct?

Mr. FACHER. I believe there are still some aspects of it, sir, which we furnish you on a classified basis, but we do furnish them.

Chairman MADDEN. Why would this particular telegram be classified?

Mr. FACHER. To the best of my recollection, sir, I think, as Congressman Machrowicz stated, it was because of some derogatory in-

formation. I was not present at the executive session; so I can't speak first-hand.

Mr. MACHROWICZ. Colonel Szymanski feels just as I do, and as every member of this committee thinks; that anything derogatory in there is not derogatory to him; it is rather complimentary, even though the Department thought he was too anti-Soviet. And Colonel Szymanski is perfectly willing to have it declassified.

Now, if it is embarrassing to the Department, that does not bother me at all. It should not be classified if it is embarrassing to the Department.

Mr. FLOOD. I think it should be declassified, no matter who it embarrasses, Szymanski or the Department.

Chairman MADDEN. What reason does the Department give for not presenting it to us?

Mr. SHEEHAN. Mr. Chairman, I remember that. I can remember the circumstances. Part of the cablegram had to do with recommendations that Szymanski had made with reference to intelligence, and the Department did not want to declassify it because they have now followed his recommendations. They did not want to reveal what the intelligence was.

Chairman MADDEN. Could the telegram be presented now?

Mr. FACHER. I believe the telegram is still classified, sir; but we will check it over, and if it can be declassified we will provide it to the committee. I am not sure the operational aspects were included in the same telegram.

Mr. SHEEHAN. They were not included but referred to.

Mr. FACHER. That is right.

Mr. MACHROWICZ. May I ask if there is any reason that you know why that section relating to the Department of Defense, relative to Colonel Szymanski, cannot be declassified if he consents to it?

Mr. FACHER. Not to my personal knowledge, sir. However, I am not an Intelligence officer.

Mr. SHEEHAN. May I make an observation, Mr. Chairman?

Chairman MADDEN. Proceed.

Mr. SHEEHAN. Part of the telegram that the War Department wanted declassified was the part of the telegram that was derogatory toward Colonel Szymanski. Without revealing the other part of it, it would put the colonel in a bad light, and the committee members in executive session felt it should not be revealed unless the entire cablegram was revealed.

Mr. DONDERO. Mr. Chairman, who has the authority to classify or declassify?

May I ask the colonel that question: Who has the authority, who does the classifying and declassifying?

Colonel YEATON. The originating officer does the classifying. Any declassifying must be done by a special branch in the Intelligence Department.

Mr. DONDERO. Does that come from the Chiefs of Staff, or is that down in a lower echelon?

Colonel YEATON. There is another section down in the Joint Staff that is also involved in all War Department document declassification; yes, sir.

But matters that pertain only to G-2, they have their own section that has that power.



Mr. SHEEHAN. Mr. Chairman, if I may make an observation there, which is not my own, but, as someone else stated, the doctors are able to bury their mistakes and the military classify them "Top secret."

Mr. MACHROWICZ. I think, Mr. Chairman, it is about time now we make some decision on that cablegram. I think it is important. We have waited a long time for it.

Mr. MITCHELL. Mr. Chairman, I will take up the matter with the War Department Counselor's office and I will straighten it out before our next set of hearings. We will get it into the record.

Mr. MACHROWICZ. Now, Counsel, that was on March 14. This is now June 4. March 14 to June 4 seems to me like a sufficient length of time for them to make up their minds as to what they are going to do with this.

The problem is very simple. I see no reason why they should be the sole judges as to whether a cablegram of this type should be declassified.

Mr. MITCHELL. Sir, if I recall correctly—and I think Congressman Sheehan can check me on that—I think that in that particular cable that was referenced, the first part of it had the derogatory remark about Colonel Szymanski, and then the other part referred to some memorandum on a military-intelligence subject that he had written. I think the Department is primarily concerned with the reference to the military-intelligence scheme or plan that he had recommended previously in another memorandum, which you recall.

I think that that probably is the reason why they are having difficulty there on this.

But I agree with you.

Mr. MACHROWICZ. Three months seems to be sufficient time to resolve the difficulty.

Mr. MITCHELL. I agree, and I will get on it right away, sir.

Mr. O'KONSKI. Mr. Chairman, I think the record should show here that whenever the word "derogatory" with reference to Colonel Szymanski is used they mean derogatory from the viewpoint of a pro-Communist and not derogatory from the standpoint of personal beliefs in freedom and justice.

Mr. MITCHELL. I stand corrected.

Mr. SHEEHAN. Mr. Counsel, may I ask the colonel one or two questions?

Just before you were being cross-examined here, Colonel, you said something to the effect that all the information on the Polish officers was of spot-intelligence value to you as long as they were alive. Then you went on and said that when the officers were dead the information was not of spot-intelligence value.

When did you or your section determine officially that the Polish officers were dead and were not worth looking for any more?

Colonel YEATON. I did not say they "were not worth looking for," sir. I said they were not spot intelligence any more.

Mr. SHEEHAN. No. You stated that when they were dead they were not of spot intelligence.

Colonel YEATON. That is right.

Mr. SHEEHAN. When did you determine they were dead?

Colonel YEATON. After the investigation that followed the German broadcast.

Mr. SHEEHAN. What investigation?

Colonel YEATON. Red Cross.

Mr. MITCHELL. The Polish Red Cross.

Mr. SHEEHAN. The Polish Red Cross?

Colonel YEATON. That is right.

Mr. SHEEHAN. In other words, you took their word for it; did you?

Colonel YEATON. We took their word for it that the officers were dead. I didn't mean by that that we didn't continue to believe G-2 and the staff on all phases of the massacre end of it, but we didn't consider that spot intelligence.

Mr. SHEEHAN. I see.

Mr. MITCHELL. What did G-2 do at the time of the revelation of the Katyn Forest Massacre?

Mr. O'KONSKI. I have some questions on that.

Was that the time when a communication went out under the name or signature of George Marshall to Colonel Szymanski asking him to make a report on the Katyn Massacre? Do you remember any such telegram going out?

Colonel YEATON. I drafted it, sir.

Mr. O'KONSKI. You drafted the telegram?

Colonel YEATON. Yes, sir.

Mr. O'KONSKI. And you remember it?

Colonel YEATON. Yes, sir.

Mr. SHEEHAN. May I pursue another question along this line there?

Yesterday it was brought out that apparently our State Department had asked the Swiss Government, as a neutral, to find out from Van Vliet, while he was a prisoner of war, certain information.

Did G-2 take any hand in that?

Colonel YEATON. I don't know, sir. At that time I was coordinator of specialists. I wasn't chief of any branch and it was just before going overseas.

Chairman MADDEN. Are there any further questions?

Mr. MITCHELL. At this time, Colonel, I would like to have you run down the complete assignments that you had in the Office of G-2 from the time of your return from your duties as assistant military attaché in Moscow; your respective duty assignments and title of each position.

Colonel YEATON. From about the middle of May 1942 to the 30th of June 1943, I was Chief of the East European Section.

By June 1943 the sections had grown so large that they were renamed branches. So on July 1, 1943, until August 31, 1943, I was Chief of the Eastern European Branch.

On September 1, 1943, I was promoted to Chief of the European Unit, which was known before that as a theater group and then known as a unit.

On the 16th of June, when the whole of G-2 was reorganized, the branches, which had been up to that time geographical units, were all of a sudden, right in the middle of the war, reorganized into functional units.

Mr. MITCHELL. When was that?

Colonel YEATON. That was the middle of June 1944. And at that time the records in every one of the branches, where they had been immediately under the supervision of a branch chief and file clerk, were all picked up and moved down in the basement in a large room and put in one large room.

Mr. MITCHELL. Under whose order was that reorganization?

Colonel YEATON. Under General Bissell's.

Mr. MITCHELL. Do you know why that reorganization took place?

Colonel YEATON. I do not, sir.

Mr. MITCHELL. Did it strike you as being rather odd that such a reorganization should take place at that particular time, June 1944?

Colonel YEATON. Yes, sir.

I didn't agree with it in principle, because I think the geographic set-up was the more workable one.

Mr. MITCHELL. Did the other officers who were in G-2 at that time feel that this reorganization was necessary, or did they agree one way or the other, or disagree? What was the majority opinion?

Colonel YEATON. The majority opinion among the branch chiefs was that the reorganization was not well timed.

Mr. MITCHELL. Was there a drastic shift in the officers in charge of these various units at that time?

Colonel YEATON. There was. The branch chiefs became known as specialists.

Mr. MITCHELL. Specialists in what line? Evaluation?

Colonel YEATON. In the line that they had been chiefs in prior.

Mr. MITCHELL. Did you ever hear of an Alfred McCormack?

Colonel YEATON. I have, sir.

Mr. MITCHELL. What was his official position in G-2?

Colonel YEATON. When I joined G-2 early in 1942 Col. Alfred McCormack was in charge of what was known as the Special Branch.

Mr. MITCHELL. What was the Special Branch, if you are at liberty to say here?

Colonel YEATON. It had to do with evaluation of cryptographic material.

Mr. MITCHELL. Did he receive intelligence and evaluate intelligence reports in his official capacity?

Colonel YEATON. I wish you would clarify "intelligence reports."

If you mean military attaché reports, the answer is "No."

Mr. MITCHELL. Did he receive, or was he responsible for the transmission of, any reports that may have been sent in by Szymanski cablewise, or through any other means, to G-2?

Colonel YEATON. Responsible for the evaluation?

Mr. MITCHELL. Yes.

Colonel YEATON. No, sir.

Mr. MITCHELL. Thank you.

Did you ever hear of a T. Achilles Polyzoides?

Colonel YEATON. I have, sir.

Mr. MITCHELL. What was his position at that time?

Colonel YEATON. I am not sure. I would rather let the record show it.

Mr. MITCHELL. Thank you.

How was liaison with the State Department conducted during 1942 and 1943, as far as your particular EE section was concerned?

Colonel YEATON. G-2 had a liaison branch that contacted the State Department officially.

But the same thing was true with us as in all other departments, there was, as the British say, an old boy liaison between departments and like geographic branches. At that time, Ambassador Loy Hen-

derson, I think, was in charge of the State Department Eastern European Section.

Mr. MITCHELL. Did you know any of the State Department people? Did they ever come to G-2 or did you have anybody specifically assigned from your section or unit to have liaison with the State Department?

Colonel YEATON. With the Eastern European branch of State, I did the liaisioning myself.

Mr. MITCHELL. Did the question of the missing Polish officers come up?

Colonel YEATON. It did.

Mr. MITCHELL. With whom in the State Department?

Colonel YEATON. I think with Ambassador Henderson, who was in charge at that time.

Mr. DONDERO. Do you mean Loy Henderson?

Colonel YEATON. Yes, sir.

Mr. MITCHELL. Did you have liaison with the office of OWI?

Colonel YEATON. No, sir.

Mr. MITCHELL. Was anybody from your staff assigned to OWI?

Colonel YEATON. No, sir.

Mr. MITCHELL. Was there a section in G-2 that had liaison with OWI, another section, or some other means?

Colonel YEATON. Not that I know of, sir.

Mr. MITCHELL. Thank you.

I have no further questions.

Mr. O'KONSKI. May I have a question?

Colonel, you just said a while ago that you knew and drafted the cable asking Szymanski, and probably others, to make a report on the Katyn massacre. As these reports came in, did you and your fellow-workers evaluate these reports and come on to any off-the-record conclusions as to who was responsible for that crime?

Colonel YEATON. Yes, sir.

Mr. O'KONSKI. Could you tell us what your conclusions were, to the best of your knowledge, at that time, as these reports started to come in?

Colonel YEATON. My conclusions were the same as Szymanski's.

Mr. O'KONSKI. That the Russians committed the murders?

Colonel YEATON. That is right, sir.

Mr. O'KONSKI. Was that the generally prevalent opinion around your department, that it was the Russians that were responsible, as these reports started to come in?

Colonel YEATON. I can only speak for myself, sir.

Mr. O'KONSKI. Did the State Department show a particular interest in the murder of these Polish officers? That is, was their interest in this phase of international relations more keen than the average observations in their visits with you?

Colonel YEATON. I think the peak of interest came the 24 hours following the German broadcast. Thereafter, the information on those things came in, as you know, in small pieces, and we felt that each little bit added another brick to the wall.

But within itself it was only a matter of vital importance for the record.

The reason I sent that telegram to Szymanski was I felt perfectly certain that at some future date there would be an investigation, and

I was doing everything I could at the time to see that my files were so complete that when that day came, my office certainly would not be subject to criticism.

Mr. O'KONSKI. That is all.

Thank you, Colonel.

Mr. SHEEHAN. Colonel, you stated that you carried on the liaison with the State Department yourself. Do you remember in 1942 or 1943, when the question of the missing Polish officers came up, whether you gave any opinion to the State Department as to your opinion, as you expressed it, that the Russians were guilty?

Colonel YEATON. I did not give any official opinion; no, sir.

Mr. SHEEHAN. Unofficial?

Colonel YEATON. I undoubtedly expressed myself unofficially.

Mr. SHEEHAN. I would like to go back a little bit.

In your testimony here in the early part, when you stated that when you were called into G-2 you were asked to prepare a documentary project paper that you prepared on Russia, you said that at the time Russia was the only country in which G-2 did not have the particular documentary knowledge; is that right?

Colonel YEATON. So far as I know; yes, sir.

Mr. SHEEHAN. Did we have documentary knowledge on England?

Colonel YEATON. Oh, yes, sir. We have volumes on it.

Mr. SHEEHAN. And France?

Colonel YEATON. Yes, sir.

Mr. SHEEHAN. In other words, the Army intelligence was in the peculiar position of having documentary evidence and information about every country in the world, including our close allies, except Russia?

Colonel YEATON. That is almost a true statement, sir.

Mr. SHEEHAN. It is a sort of reflection, I think, on Army intelligence, with Russia being what it is, as big a country as it is, that nobody ever bothered to find a lot of evidence about it and a lot of security information.

Colonel YEATON. We were trying, sir.

Mr. DONDERO. I think Colonel, the reason why you did not get it is that the Russians saw to it that you did not get it.

Colonel YEATON. That is right, sir.

Mr. DONDERO. I have just one question.

In what manner was the liaison relationship conducted between G-2 and State Department? Was it by messenger, or by mail?

Colonel YEATON. By officer liaison.

Mr. DONDERO. In other words, if you had documents to send over, it was done by a person; is that right?

Colonel YEATON. That is right, sir; so that the document would be recorded out and in at the State Department, so that there would be no question. If they raised the question, "We did not see the document," we could point to the record and show where they had received it.

Mr. DONDERO. The State Department, I assume, had the same procedure?

Colonel YEATON. Yes, sir.

Mr. DONDERO. That is all.

Mr. MACHROWICZ. I have one question along those lines, Colonel.

In other words, if any document was turned over to the Department of State by your department, you had something in writing, a receipt, to show that that actually was done?

Colonel YEATON. Out of my branch; yes, sir.

Mr. MACHROWICZ. Do you have anything to show that these reports of Colonel Szymanski were turned over to the Department of State?

Colonel YEATON. I do not, sir.

Mr. MACHROWICZ. It has been admitted yesterday already that there was nothing showing in the department which was of a nature to indicate that the Van Vliet report was received in the Department of State also.

Mr. FLOOD. I have listened to this thing for a couple of days, or a day and a half. I would like to say that if there is any evidence, any place, anywhere, anyhow, of any kind, that information was transmitted to the Department of State, I would be as anxious to find out as anybody else.

And I have tried hard to find it out. I cannot find a scintilla of evidence that the State Department was apprised of this documentary reporting from anybody.

I think it is about time we stopped this torturing every phrase to try and establish that the State Department had this information.

Now, if they got it, I want to know. If they did not get it, let us stop this business.

The Defense Department made a mistake or an error, deliberately or inadvertently, in my judgment. These reports did not get to the State Department.

Now, if they did, I want to see how they got there, who took them there, and where are the receipts. The evidence, in my opinion, and only in my opinion—I am only saying in my opinion—shows very clearly that this information did not get to the Department of State; why, I do not know.

Now, let us find that out. We are wasting time, if there was deliberate conspiracy, inadvertence, stupidity, negligence, or anything else, in any of the various areas of the Defense Department, if the reports should have gotten to the State Department, why did they not?

Let us do away with this business of spending all week trying to find out did the State Department hide this or conspire with the Defense people to prevent these reports from getting there, or conspire with somebody to steal them or destroy them to protect Russia.

I think we have knocked ourselves out trying to prove that, and we have not done so. If we have not, let us start on it right now and prove it.

But if we are satisfied that it cannot be proved, let us stop this whipping-boy business of the State Department and find out what was wrong in the Department of Defense, if we can. If we cannot find that out, let us stop this.

Mr. MACHROWICZ. I concur 100 percent with the Congressman.

I wanted to say that I would be the first to criticize the Department of State for neglecting to do something it should have done.

But I have been looking in vain for one iota of testimony to show that any of this information which the Department of Defense obtained was turned over to the Department of State. If I am wrong, the Department of Defense should have an opportunity to present such proof. If they cannot do so, let us forget it now. Let us not keep on sniping at somebody who quite obviously is not at fault.

Mr. MITCHELL. Congressman Flood, I would like to bring you up to date now, that Mr. Madden has appointed a subcommittee, consisting of Congressman O'Konski, Congressman Machrowicz, and Congressman Sheehan, to meet with the State Department officials tomorrow to go over the files and any records they may have concerning the missing Polish officers or the Katyn affair. They are going to do that tomorrow morning.

I agree with your statement.

Mr. FLOOD. That is all right with me. If you want to go to the Bureau of Mines or the Department of Agriculture, go ahead, but let us get this thing cleaned up one way or the other. It is going on like Tennyson's Brook, going no place.

Chairman MADDEN. Let me suggest that although Congressman Sheehan and Congressman Machrowicz, and Congressman O'Konski are to investigate the records of the State Department, in which the State Department stated they would be glad to cooperate in any way, let me suggest that any other member of the committee that wants to accompany them on this investigation is at liberty to do so.

Mr. MACHROWICZ. Mr. Chairman, can I ask Mr. Facher whether he can have that cable that we are talking about here this afternoon.

Mr. FACHER. I will try, sir.

Mr. MACHROWICZ. You have been trying since March 14. That is such a simple thing. It should take exactly 5 minutes, not 3 months.

I am a little bit tired of this "trying" and this informing witnesses not to cooperate with the committee. I will bring that out if it is necessary, too.

Chairman MADDEN. Will you have Mr. Shackelford come over here this afternoon?

Mr. FACHER. Yes, sir.

(The following letter and cablegram are herewith placed in the record by the counsel, John J. Mitchell:)

DEPARTMENT OF THE ARMY,  
OFFICE OF THE DEPARTMENT COUNSELOR,  
Washington, June 4, 1952.

HON. RAY J. MADDEN,  
*Chairman, House Select Committee To  
Investigate the Katyn Forest Massacre,  
House of Representatives.*

DEAR MR. MADDEN: I am inclosing herewith a copy of the telegram of December 19, 1943, which your committee requested at the hearing held in Washington this morning, June 4. This telegram has remained classified because it contains personal information concerning an individual member of the Army. As such it was treated in confidence, in accordance with Department of the Army policy to treat efficiency reports and similar personal information as confidential. Upon assurance of your committee that the individual named in this telegram has no objection to the information being made public, I have had the telegram declassified.

Sincerely yours,

F. SHACKELFORD, *Department Counselor.*



## HEADQUARTERS

U. S. ARMY FORCES IN THE MIDDLE EAST

MESSAGE FORM  
IN COMING

[Paraphrase]

No. 8623 for AMSME from WAR

DATE: Dec. 19, 1943.

RECD: Dec. 19, 1943.

DECD: Dec. 20, 1943.

Cite WDGBI from Strong for Osmun Jicame. AMSME 9965.

Proposed by Szymanski in his draft dated October 30th project of setting up Joint Polish Intelligence Agency is disapproved. Reference the above radio his visit to London is disapproved. Szymanski is being appointed Milo with the Poles and is being relieved as AMA. Answering Jicame 58 Szymanski is under your control as far as Collection Intelligence is concerned. Regarding his immediate future in that connection all decisions are up to you. As now operating there is confidence here in the Jicame set-up. Szymanski should accompany them, if and when Poles move into other Theatre and report to MID through its representative in the New area. His work has been only satisfactory because of small volume and much duplication of information previously received from the Poles in the opinion of the Military Intelligence Department. Furthermore frequently expressed opinions show bias opinion in favor of Polish group which is Anti-Soviet. Instruct him to avoid political involvement and recommend you require him to concentrate on Liaison with Poles.

ULIO TAG

Classification Changed To Unclassified, Security Information.

By authority of The Assistant Chief of Staff, G-2.

By Date 4 June 1952.

JICAME ----- for ACTION. (JA)

Distribution 1-AG, 1-G-2.

Mr. MACHROWICZ. I think it is about time the Department of Defense should be instructed they have no right to interfere with witnesses and tell them not to divulge information to the committee. If there is any question about that, let us make that clear right now. If anybody wants information on that, I will give it to them.

Chairman MADDEN. Are there any further questions?

We want to thank you for your testimony here this morning, Colonel Yeaton.

Is there anything further?

Mr. MITCHELL. I have nothing further of the colonel.

Chairman MADDEN. We thank you for your testimony, Colonel.

Boris Olshansky.

Mr. MITCHELL. Mr. Chairman, this is Mrs. J. P. Feeley, an official interpreter for the committee.

Will you kindly swear her in, please?

Chairman MADDEN. Do you solemnly swear that you will interpret the testimony to be given by the witness truthfully, so help you God?

Mrs. FEELEY. I do.

(The witness was duly sworn by the chairman through the interpreter, as follows:)

Chairman MADDEN. Mr. Olshansky, will you raise your right hand, please?

Do you solemnly swear that in the hearing now being held, you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. OLSHANSKY. I do.

**TESTIMONY OF BORIS OLSHANSKY (THROUGH MRS. J. P. FEELEY,  
INTERPRETER)**

Mr. MITCHELL. Will you state your full name for the record, please?

Mr. OLSHANSKY. Boris Olshansky.

Chairman MADDEN. Will you kindly spell it out?

Mr. MITCHELL. B-o-r-i-s O-l-s-h-a-n-s-k-y.

Where were you born, Mr. Olshansky?

Mr. OLSHANSKY. I was born in Voronezh, U. S. S. R.

Mr. MITCHELL. When were you born?

Mr. OLSHANSKY. I was born on the 5th of August 1910.

Mr. MITCHELL. Where were you educated?

Mr. OLSHANSKY. I was educated in Voronezh.

Mr. MITCHELL. What schools did you attend?

Mr. OLSHANSKY. I attended high school in Voronezh and the State University of Voronezh.

Mr. MITCHELL. In what did you specialize at the state university?

Mr. OLSHANSKY. In mathematics.

Mr. MITCHELL. Where were you, Mr. Olshansky, on September 1, 1939?

Mr. OLSHANSKY. In Voronezh.

Mr. MITCHELL. What were you doing in Voronezh on September 1, 1939?

Mr. OLSHANSKY. I was associate professor at the Voronezh State University, in the department of mathematics.

Mr. MITCHELL. How long did you remain in this position?

Mr. OLSHANSKY. I held this position for 2 years.

Mr. MITCHELL. When did you enter the Russian Army?

Mr. OLSHANSKY. In September 1941.

Mr. MITCHELL. What was your rank and position in the Russian Army?

Mr. OLSHANSKY. I was a staff officer of the army then, and I was a major in the Engineering Corps.

Mr. MITCHELL. Mr. Chairman and the committee, the witness has informed me that he would like to make a brief statement as to his position and service in the Russian Army covering the period 1941 through 1946.

Will you make a brief statement covering your time and service in the Russian Army for the period 1941-46?

Mr. OLSHANSKY. From 1941 and until 1942 I was a staff officer in the Southwestern Army.

From the summer of 1942 until 1943, I took part in the Stalingrad operations, and from 1943 until 1944, I took part in Bielo-Russian operations under Marshal Rokosovsky.

Then from 1944 until the end of the war, I was in the same operations under Marshal Zhukov, and he was with the Fifth Army then.

Mr. MITCHELL. When did you leave the Russian Army, and where?

Mr. OLSHANSKY. I left the army after the war ended, and I stayed in Berlin, Germany.

From 1946 until the end of 1947 I was inspector of a section of German people's education under Soviet military administration, and besides, I was a teacher of the Russian schools in Berlin at the same time.

Mr. MITCHELL. When you say Russian schools, do you mean the one that was established after the war?

Mr. OLSHANSKY. Yes. Those schools were established after the war under Soviet military administration.

Mr. MITCHELL. Where did you know Professor Burdenko, or Dr. Burdenko, who was the head of the Soviet extraordinary state special committee to investigate the Katyn Forest massacre?

Mr. OLSHANSKY. My father was a doctor, and he was a good friend of Professor Burdenko from 1919. From 1919 until 1923, Professor Burdenko and my father were together in Voronezh.

After that Professor Burdenko left for Moscow, but he kept his friendship with my father and my family.

My father died in 1929, but every time I visited Moscow I visited Professor Burdenko. And Professor Burdenko helped me to finish my education and he helped me financially.

I saw Burdenko before the war for the last time in 1936. From 1936, Professor Burdenko was personal physician in the Kremlin and he was the physician of Stalin, too.

In 1939 Professor Burdenko had to join the party. Professor Burdenko was an outstanding scientist, and he was a member of the old Union Academy of Sciences.

During the war, I met Professor Burdenko in 1944 in Gomel. I was wounded then in the hospital, and Professor Burdenko was sent there for inspection. At that time, Professor Burdenko was the chief surgeon of the Red Army, and he had the rank of lieutenant general of the Medical Corps, which was the highest rank assigned in the Medical Corps.

As far as the Katyn massacre was concerned, I could not discuss that problem in the hospital. I could not discuss the matter as there were too many strangers. So we just interchanged several sentences, as far as my house was concerned.

I heard about the Katyn massacre from the Soviet press at the beginning of 1944. I didn't have any doubts right from the beginning that it was one of the Soviet tricks. My opinion was shared by many officers of the army with whom I was very friendly. When I got into Poland with the army of Marshall Rokossovsky, I heard from the Polish people the same opinion, and I developed a great desire to find out the truth of that matter.

I left Berlin at the end of April 1946 for Moscow. I was traveling to the assignment for 5 days, and I made it my point to visit Professor Burdenko, who was sick at that time.

Mr. MITCHELL. Where?

Mr. OLSHANSKY. In Moscow.

At that time, Professor Burdenko was the president of the Academy of Medical Science of the U. S. S. R.

Mr. MITCHELL. This was in 1946?

Mr. OLSHANSKY. Yes; it was at the end of April 1946.

Mr. MITCHELL. 1946?

Mr. OLSHANSKY. 1946.

Mr. MITCHELL. Proceed.

Mr. OLSHANSKY. And Professor Burdenko was a member of the Supreme Council of the U. S. S. R. At the time when I went to visit Professor Burdenko, he was sick and he didn't take much part in any activities. Professor Burdenko was 67 years old at that time. He

received me at his apartment on Iverskoy-Imskoy Street in Moscow.

When I visited Professor Burdenko, he was wearing his general's coat then and, to all appearances, it seemed that he was a well man. Knowing that he was not feeling well, I did not want to prolong our conversation, which lasted, in all, 40 minutes. After several sentences of usual conversation, I asked him on the matter of Katyn.

Professor Burdenko answered that there was nothing to think about it; that Katyns existed and are existing and will be existing. Anyone who will go and dig up things in our country, Russia, would find a lot of things, that we had to straighten out the protocol given by the Germans on the Katyn massacre.

Mr. FLOOD. By the German protocol, do you mean the German report and conclusions on their investigation of the Katyn massacre; is that what you mean?

Mr. OLSHANSKY. Yes. It is the German report.

Mr. FLOOD. And the German protocol, the German report, concluded that the Russians committed the crime?

Mr. OLSHANSKY. Yes.

Mr. FLOOD. Professor Burdenko meant by clearing up the German protocol was that the Russians had to file some kind of a report showing that the Germans did it; is not that what you mean?

Mr. OLSHANSKY. There was a special commission established by Burdenko.

Mr. FLOOD. To prove that the Germans did it?

Mr. OLSHANSKY. Yes.

Mr. MITCHELL. Will you go on about your conversation with Professor Burdenko?

Mr. OLSHANSKY. I repeat the statement I made previously. He said that Katyns are existing, and would be existing, if you would be digging out in the country of Russia.

Now I repeat the words of Professor Burdenko, who later said, "I was appointed by Stalin personally to go to the Katyn place. All the corpses were 4 years old."

And Professor Burdenko said, "For me, as a medical man, this problem was quite clear. Our NKVD friends made a mistake." Such were the words of Professor Burdenko, which proved what I supposed before.

I did not ask him why he signed the protocol because for every Soviet citizen it was obvious—he had to lose his head if he would not have signed it. I left Professor Burdenko, and he wished me all the luck in the West, as he mentioned it, and then I heard that he died in November 1946.

Mr. FLOOD. This Professor Burdenko was the chief of the Russian medical mission which investigated the Katyn massacre, was he?

Mr. OLSHANSKY. Yes.

Mr. FLOOD. And this commission made an investigation at Katyn and filed a report that the Germans committed the crime?

Mr. OLSHANSKY. Yes.

Mr. FLOOD. Professor Burdenko, as the chief of the Russian medical mission, signed the report, did he not?

Mr. OLSHANSKY. Yes.

Mr. FLOOD. Do you want us to believe now that in your conversation with Professor Burdenko, as you have described it, do you construe

Professor Burdenko's conversation as a complete repudiation by Professor Burdenko of the Russian report?

Mr. OLSHANSKY. When Professor Burdenko signed the report he knew that the crime was committed by the NKVD.

Mr. FLOOD. Did Professor Burdenko say that the Polish officers, in his judgment, had been killed by the Russian NKVD?

Mr. OLSHANSKY. He stated it himself, that in being a doctor himself he didn't have any doubt at all.

Mr. FLOOD. Doubt about what?

Mr. OLSHANSKY. That the Russian NKVD committed the crime.

Mr. FLOOD. That is all.

Mr. MITCHELL. Where did you go from Moscow?

Mr. OLSHANSKY. From Moscow I returned to my work in Berlin.

Mr. MITCHELL. How long did you stay in the Berlin zone?

Mr. OLSHANSKY. I was in Karlshorst from 1948, and after that I escaped with my family and I became a political refugee.

Mr. MITCHELL. Where did you enter the western zone?

Mr. OLSHANSKY. I arrived in Regensburg to the American military government, and I got protection from the American authorities and the right for immigration.

Mr. MITCHELL. When did you arrive in the United States?

Mr. OLSHANSKY. I arrived in the States on January 2, 1952.

Mr. FLOOD. Did anybody promise you anything to come here to testify?

Mr. OLSHANSKY. Nobody promised anything, but I consider it my moral duty.

Mr. FLOOD. Are you a voluntary witness, or were you subpoenaed?

Mr. MITCHELL. I will answer that. He is a voluntary witness, sir.

Mr. FLOOD. I have just one more question.

Is it not true that Professor Burdenko, or Colonel General Burdenko, the chief of the Medical Corps of the Russian Army, was also, from time to time, the personal physician of Stalin?

Mr. OLSHANSKY. Yes, sir.

Mr. FLOOD. That is all.

Mr. MITCHELL. Do you have any further questions, Mr. Sheehan?

Mr. SHEEHAN. No.

Mr. MITCHELL. I have no further questions.

Mr. FLOOD. We appreciate your interest in these proceedings, Mr. Olshansky, and we are grateful to you for taking the time to come here and give us the advantage of this very important testimony.

Mr. OLSHANSKY. I repeat again that it is my moral duty.

Mr. FLOOD. The committee will now recess, to reconvene subject to call of the Chair.

(Thereupon, at 12:10 p. m., the committee adjourned to reconvene subject to call of the Chair.)

# THE KATYN FOREST MASSACRE

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TUESDAY, NOVEMBER 11, 1952

HOUSE OF REPRESENTATIVES,  
THE SELECT COMMITTEE ON THE KATYN FOREST MASSACRE,  
*Washington, D. C.*

The committee met at 10 a. m., pursuant to call, in room 1301, House Office Building, Hon. Ray J. Madden (chairman), presiding.

Present: Messrs. Madden, Machrowicz, Dondero, O'Konski, and Sheehan.

Also present: John J. Mitchell, chief counsel to the select committee, and Roman Pucinski, chief investigator.

Chairman MADDEN. The committee will come to order.

I might say that the hearings this week will terminate the investigations of the Katyn committee.

A year ago in September, Congress authorized the creation of this special committee for the purpose of determining officially the guilt of the nation responsible for the massacring of approximately 14,000 Polish soldiers and intelligentsia at the beginning of World War II.

This committee started hearings in October a year ago, and when Congress reconvened in January we held hearings in Washington and Chicago in February and March, and in March the Congress authorized our committee to go abroad and complete our hearings.

The members of the committee decided last June that it was essential that we file an interim report as to the No. 1 purpose of the committee, which was to determine the guilt of the nation committing these massacres.

The Katyn Massacre is the only international crime in world history where two nations disputed the guilt. There have been a great number of international crimes in history, but the world always knew the nation that was responsible, except in the case of the massacre of the Polish soldiers and intellectual leaders at Katyn.

In order to file our report with the Congress before adjournment last July, the committee decided to file an interim report dealing with the guilt of the nation responsible for the massacre. In our report which I have just mentioned, we unanimously decided that the testimony revealed that the Soviet Government, beyond any doubt or question whatsoever, was responsible or guilty for the massacring of these Polish soldiers and intelligentsia.

At the time this committee was created, Members of Congress were very much interested in what happened to certain reports that were filed immediately after the finding of these bodies at Katyn. These reports disappeared.

Also, there were a number of questions by the Members of Congress at the time this resolution was on the floor of the House, regarding

the operation of the Nuremberg trials. That is the reason why we are holding hearings here this week.

We have already had several witnesses in our former hearings testify regarding these reports, but the witnesses that will be heard this week will further elaborate for the information of the committee as to what happened to these reports.

Mr. Justice Jackson was very cooperative to volunteer testimony this morning as to information regarding the Nuremberg trials.

I also wish to commend the members of the committee for the outstanding work they have done on the hearings both here and abroad. The work of the committee has been difficult and its success can be attributed to the nonpartisan and diligent work of the committee members.

After the hearings this week, the committee will complete its report on the second phase of the hearings, to wit, the disappearance of the files and testimony regarding Nuremberg. We will make our final report to Congress before the end of the year on this phase of the hearings.

I might further state that in the filing of our interim report, the committee made four recommendations to the Congress of the United States, which were unanimous:

No. 1, requesting that the President of the United States forward the testimony, evidence, and findings of this committee to the United States delegates at the United Nations.

No. 2, requesting, further, that the President of the United States issue instructions to the United States delegates to present the Katyn case to the General Assembly of the United Nations.

No. 3, requesting that the appropriate steps be taken by the General Assembly to seek action before the International World Court against the Union of Soviet Socialist Republics for committing a crime at Katyn which was in violation of the general principles of law recognized by civilized nations, and,

No. 4, requesting the President of the United States to instruct the United States delegation to seek the establishment of an international commission which would investigate other mass murders and crimes against humanity.

Judging from the revelations and the testimony that this committee has revealed regarding the Katyn massacre, I believe all members of the committee and possibly all Members of Congress will cooperate with the members of this committee to investigate other massacres and violations of international law which have been committed in Korea.

I believe that every member of this committee would pursue the work that we have started to see if something cannot be done to arouse world public opinion against international brigandry, barbarism, and lawlessness of this kind.

If any other members have anything to say, we will be glad to hear them. Otherwise, we can proceed with the testimony.

In order to finish the hearings this week, we decided to have hearings today, which is Armistice Day. The committee and the people in the room will stand for a minute to pay tribute to the war dead.

(An interval of silence.)

Chairman MADDEN. Let me say that under the rule in the House of Representatives, we do not wish to have photographs taken while the



witness is testifying. If any photographer here would like to take pictures at this time, it is agreeable with the witness and also with the committee.

Mr. Justice, is it agreeable with you to take some pictures now?

Mr. Justice JACKSON. Yes.

**STATEMENT OF HON. ROBERT H. JACKSON, ASSOCIATE JUSTICE,  
UNITED STATES SUPREME COURT**

Chairman MADDEN. For the purposes of the record, Mr. Justice, would you state your name and your title?

Mr. Justice JACKSON. Robert H. Jackson. At the present time I am associate Justice of the United States Supreme Court. I was representative and chief of counsel for the United States at the Nuremberg prosecutions, at the international trial only.

Chairman MADDEN. Do you have a statement you wish to read?

Mr. Justice JACKSON. Yes. I told your counsel that I would prepare a statement, with dates as exact as I could get them, so that it would be as accurate as possible. I have such a statement, which is being handed to your counsel and, if there is no objection on the part of the committee, it will be given to the press. It has not been distributed so far.

Chairman MADDEN. That is satisfactory.

Will you now proceed with your statement, please?

Mr. Justice JACKSON. The guilt for the Katyn Forest massacre has not been adjudged by the Nuremberg Tribunal, and inquiry into it is not inconsistent with the position taken by the United States prosecution at the Nuremberg international trial of Goering and others.

It was my responsibility to conduct the prosecution on behalf of the United States. I am glad to inform you in detail concerning all decisions and actions in reference to the Katyn atrocity and the reasons which conduced to them.

The first step that seems pertinent was an agreement to divide primary responsibility for preparation and presentation of the case among the prosecutors representing the four Allied Powers. This was intended to fix on someone responsibility for covering each part of the case, to avoid duplication, and to expedite a trial of unprecedented complexity.

To the United States was allocated the over-all conspiracy to incite and wage a war of aggression. The British were assigned the violation of specific treaties and crimes on the high seas. Violations of the laws of war and crimes against humanity were divided on a geographical basis. The French undertook crimes in western Europe, and the Soviet prosecution was assigned the duty of preparing and presenting evidence of crimes in eastern Europe—an area largely in Soviet occupation, and to much of which the others of us had no access. The geographical area thus assigned to the Soviet representatives included Katyn Wood and Poland as well, but at that time it was not known that the Katyn massacre would be involved.

The first proposal that the Nuremberg trial should take up examination of the Katyn massacre came from the Soviet prosecutor during the drawing of the indictment. Preliminary drafts were negotiated in London at a series of conferences where I was represented, but not

personally present. At the last London meeting, the Soviet prosecutor included among crimes charged in the east the following:

In September 1941, 925 Polish officers who were prisoners of war were killed in the Katyn Forest near Smolensk.

Both British and American representatives protested, but they finally concluded that, despite their personal disapproval, if the Soviet thought they could prove the charge they were entitled to do so under the division of the case.

The indictment was brought to Berlin for final settlement and filing, where I objected to inclusion of the charge and even more strongly when, at the last moment, the Soviet delayed its filing by amending the Katyn charge to include 11,000 instead of 925 victims. However, it was in the Soviet part of the case and they had investigated Katyn; we had no opportunity to do so. In view of what we knew of the over-all Nazi plan to exterminate inhabitants of Poland, it did not seem unlikely that this was part of their program, and the Soviet claimed to have adequate evidence of Nazi guilt.

While we did not feel justified in preventing the issue, we warned the Soviet delegation that we did not have evidence to support the charge nor time nor opportunity to investigate it and that, if it met with denial or countercharges, we would keep hands off and leave the entire contest to the Soviet and German lawyers.

The reasons for opposing inclusion of this charge and refusal to participate in its trial were that to litigate that issue would conflict in several respects with what I considered to be sound trial policy for the first such case in history. It was not based upon any conviction in my own mind about the truth or falsity of the charge. I knew that the Nazis and the Soviets accused each other, that both were capable of the offense, that perhaps both had opportunity to commit it, and that it was perfectly consistent with the policy of each toward Poland. Whatever the facts were, they had become overlaid with deep layers of Nazi and Soviet propaganda and counterpropaganda, and it seemed we could not at the international trial wisely undertake or satisfactorily achieve the long task of separating truth from falsehood. The chief reasons in support of that conclusion are four:

First, responsibility for the massacre did not appear to be capable of documentary proof or substantial corroboration. One of the basic decisions on policy concerning the Nuremberg international trial was that we should accuse only defendants whose guilt could be established and should charge only offenses whose occurrence could be fully proved or substantially corroborated by documentary evidence captured from the Germans themselves.

Because this was the first international criminal trial in history and was held in the wake of war when passions were high, we did not want any judgment that would rest solely on oral testimony of witnesses whose interest, bias, memory, and truthfulness would always be open to question. This required us to pass over many tempting matters because evidence measuring up to this standard was not then obtainable. However, that policy was so far observed that the tribunal, in its judgment, said:

The case, therefore, against the defendants rests in a large measure in documents of their own making, the authenticity of which has not been challenged except in one or two cases.

Second, if we were ever to depart from the policy of presenting documentary evidence, this atrocity was not a suitable instance because we knew of no witnesses who could supply oral proof to establish the identity of the perpetrators that would meet the high standards of credibility required in a criminal trial. Neither the American nor, as far as I have reason to believe, the British prosecutors knew of such witnesses.

It was plain that we could not get such evidence from Polish sources. Attitudes of Polish authorities at that time were conflicting, which confirmed my opinion that we should not participate in the trial of the Nazi-Soviet dispute. The Polish Government then in power at Warsaw kept a delegation at Nuremberg which cooperated closely with the Soviet in all matters, including, as I understood it, accusing the Nazis of the Katyn murders.

The Polish Government in exile in London, on the contrary, was accusing the Soviet. On February 15, 1946, 11 senators and 10 deputies of the Polish parliamentary group in London filed with me a letter and statement reciting evidence on which they pointed to Russian guilt, concluding with this statement:

In view of these facts and circumstances the undersigned would like to express the opinion that it would be ill-advised to include the Katyn case in the tasks of the Nuremberg tribunal. The case is of a special character, and needs, in order to be fully elucidated, to be examined apart and treated independently by an international judicial body.

And I will file photostatic copies of that communication from the Polish Government in exile with the committee.

Chairman MADDEN. They will be made a part of the record at the conclusion of your testimony.

Mr. Justice JACKSON. It also characterizes the Polish attitude at that time that General Anders, while believing in Soviet guilt, refused the request of Goering's lawyer to help him prove it—a quite understandable attitude in view of what Poland had suffered at the hands of those who would benefit from his testimony. He said, however, that he would be willing to give his information to the tribunal “at their express written and official request.” He did not know, nor do I, whether the tribunal was ever so advised. Certainly I was not. Only 3 years after the trial, when General Anders published his book and thoughtfully sent me a copy, did I learn these facts.

Departing from the statement, may I say at this point what I should have included in the statement.

I think you know that a War Crimes Commission had been established in London by the United Nations in 1942. The United States was a member of that Commission; Poland was a member of that Commission, but the Soviet Union was not a member of that Commission.

We conferred with them many times as to what evidences they had. They sent us, from time to time, anything that they had.

You will find in that report that Katyn is not even indexed. You will also find in their report, issued by Lord Wright, an interesting account of their effort to get information from the Soviet Union and its representatives, which is somewhat parallel to my own. They at no time suggested that this matter ought to be taken up.

After the indictment was filed, they still made neither objection nor did they supply evidence.

Mr. DONDERO. Do you mean that Russia made no objection?

Mr. Justice JACKSON. No. I mean the Polish representatives in the War Crimes Commission.

Mr. MACHROWICZ. Mr. Justice, when you say the Polish representatives, are you referring now to the government in exile?

Mr. Justice JACKSON. The government in exile.

In 1942 the governments united in establishing that Commission. The report of that Commission is quite extensive and, I may say, rather critical of the United States for failing to adequately support that Commission in its efforts to develop the facts in various situations.

I think that the American representative finally resigned, considering that he was not adequately supported. Herbert Pell was our first representative. He was succeeded by Colonel Hodgson, who was in charge at the time I was there, on behalf of the United States. He was a very competent lawyer who is now practicing in Hawaii.

On January 21, 1946, General Clay transmitted for my "strictly confidential information from the Embassy at Warsaw" word that the Germans were not, in the opinion of the Polish circles with which the American Embassy was in contact, responsible for the Katyn deaths. There was no suggestion that this opinion was supported by legal evidence. Apparently it was not, for Mr. Lane, then American Ambassador at Warsaw, 2 years later published the information then known to him pointing to Soviet guilt, but even then said:

The identity of the perpetrators of the outrageous massacre of Katyn, contrary to all laws of war and humanity, has never been definitely established. Perhaps it never will be.

We did not learn of any usable evidence in American possession. Military Intelligence, on February 26, 1946, delivered to a member of my staff then in Washington several documents classified "secret," including the German report accusing the Soviet, two Soviet documents accusing the Nazis and a paper labeled "Excerpts of conversations between Sikorski, Anders, Stalin, and Molotov."

The conversations referred to are substantially those published by Jan Ciechanowski, Polish Ambassador to the United States in 1947.

I may say, apart from the statement at this point, that those conversations had previously been published and were new to the German counsel who were interested in conducting the other side of the case.

None of these was in condition to be useful as evidence. I knew nothing at any time during the trial of Colonel Van Vliet, Colonel Stewart, or Colonel Siemanski. We heard nothing of any of the witnesses since claimed to have personal knowledge of the crimes.

Third, we did not need to prove Nazi responsibility for the Katyn murder in order to establish that the Nazi regime and individual defendants were guilty of conspiracy and a program to exterminate vast numbers of Poles. Poland had been the scene, and the Polish people had been the victims of many unbelievable barbarities which put to death much larger numbers of persons than the Katyn murders.

To make sure that the grievances of the Polish people, as well as other eastern peoples, were proved and proved beyond doubt, we did not leave the matter wholly to the Soviet, but as a part of the American case, proved by captured German documents or by admissions of captive German officials the over-all Nazi extermination program embracing many atrocities in Poland and affecting the Polish people, as well as others in east Europe. Examples will indicate what I mean by the kind of evidence that we had and preferred to rely on:

We had the diary of Hans Frank, the Nazi Governor-General of Poland, acknowledged by him to be authentic, saying:

We must annihilate the Jews wherever we find them and wherever it is possible.

In August 1942 he wrote of Nazi manipulation of hunger rations in Poland:

That we sentence 1,200,000 Jews to die of hunger should be noted only marginally. It is a matter, of course, that should the Jews not starve to death it would, we hope, result in the speeding up of the anti-Jewish measures.

We had written evidence of specific extermination measures, such as the 75-page leather-bound official report by Major General Stroop which recited the killing of men, women, and children of the Warsaw ghetto to the exact number of 56,065, and set out the day-to-day measures, including shooting, fire, explosion, and chemical extermination in the sewers, where the victims had taken refuge, accompanied by photographs to prove the operation's efficiency.

We had the report by SS Brigade Fuehrer Stahlecker to Himmler, dated October 1941, of the execution of 135,567 persons in Lithuanian area.

We had a top-secret report, dated May 16, 1942, of the ghastly details of the operations in the east of gas wagons for killing undesirables.

We also had German protests, official, but not very high minded, against such exterminations, in one instance of 150,000 to 200,000 Jews, and in another instance of 5,000 Jews, because it was complained they should have been spared for use as forced labor.

Some of the documents, intended to conceal crime, unconsciously dramatized it. For example, a death book of the Mauthausen concentration camp recorded 35,317 deaths. During a sample period 203 persons died of the same ailment, heart trouble, died at brief and regular intervals, and, more astonishingly, died in alphabetical order. Death came first to Ackermann, at 1:15 a. m., and reached Zynger at 2 p. m.

Oral testimony and affidavits were available from captured German officials. One told of the official Gestapo estimate that the Nazi extermination program had done away with 4 million persons in concentration camps and that 2 million additional were killed by the secret police in the east.

Another Nazi, General Ohlendorf, testified willingly, even boastfully, that he supervised execution of over 90,000 men, women, and children in the eastern area.

The witness Hoess, in charge of Auschwitz extermination center, swore that under his regime it exterminated 3 million human beings. This was by far the largest and most atrocious of the atrocities committed against the Polish people.

Nor did we rest upon the documents which the fortunes of war had placed in our hands when documents were procurable from other sources. An example was the Nazi persecution of the church and clergy, particularly vicious in Poland, which the Nazis documented with the candor and thoroughness that they did persecution of the Jews. It is doubtful whether, even if time were available to us, we could have gathered evidence of the church persecution in Poland, since any probable witnesses were in the area under Soviet control

where Americans even then were rarely admitted, and we may doubt the zeal of the Soviets to obtain proof on that subject. However, I sought an audience with Pope Pius, and obtained from His Holiness the Vatican documents in which detailed evidentiary material was already collected, and which supported the charge of religious persecution.

As to the Katyn massacres, we knew of no source to which we could turn for such documentation. Extermination of these intelligent and patriotic Poles who might become the leadership of the restoration of Poland was provable by document to be consistent with the Nazi policy toward Poland. Yet, while they had boasted on paper of the worst crimes known to man, we found but one Nazi document that even hinted at Nazi responsibility for the Katyn massacre, that being a telegram reporting that the Polish Red Cross had found that German-made ammunition was used in the killings.

A fourth difficulty entered into our reluctance to undertake the Katyn murder charge as part of the Nuremberg trial. We were under exceedingly heavy pressure to get along with the trial. A persistent criticism in the American press during the trial was its long duration.

Of course, that is forgotten now.

Oral testimony from witnesses, subject to cross-examination by several counsel, of course takes much more time than documentary proof. Every word of testimony taken in the Nuremberg trial had to be forthwith interpreted into three other languages. Every examination or cross-examination had to include any proper questions desired by more than 20 lawyers representing defendants and 4 for the prosecution, and these were trained in 5 different legal systems—English, American, French, Russian, and German.

Therefore, in the interests of expedition it was necessary to forego calling of witnesses so far as possible. You will best realize the extent to which we avoided relying on oral proof when I remind you that all 4 prosecutors at Nuremberg called only 33 witnesses to testify orally on the whole case against the 20 individual defendants, and these defendants, in addition to themselves, called only 61 witnesses.

You have already, according to your interim report, orally examined 81 witnesses on this 1 atrocity.

Notwithstanding these considerations, the Soviet prosecutor, on February 14, 1946, opened the subject by presenting to the tribunal a report by a Soviet extraordinary state commission of its investigation of the Katyn crime. It recited testimony, including a good deal of hearsay and medical data, as to the condition of the exhumed bodies. On this, experts based opinions that the executions took place during the period of German occupation and, therefore, that the Germans were responsible.

Dr. Stahmer, counsel for Goering, made a prompt request to call witnesses to contradict the Soviet report, which occasioned some disagreement between the Soviet prosecutors and those representing Great Britain and the United States. The Soviet lawyers took the view that, since the court took "judicial notice" of the report of the extraordinary commission as a state document, it could not be contradicted. Under Soviet law it probably could not, but would be entitled to faith and credit—as a judgment, statute, or public act would be here. Nevertheless, we thought that its nature was such that it was

clearly open to contradiction. Then the Soviet lawyers proposed, if the subject were opened, to call 10 witnesses. The tribunal, however, ruled that it would "limit the whole of the evidence to three witnesses on either side, because the matter is only subsidiary allegation of fact."

Testimony of three witnesses for each was heard on the 1st and 2d days of July 1946. What it was is a matter of record—I have cited the record to you—and what it is worth is a matter of opinion.

At the conclusion, neither side was satisfied with its own showing and both asked to call additional witnesses. The Soviet, especially, complained that they had been allowed to call only 3 of the 120 witnesses that appeared before the Soviet commission. The tribunal, wisely, I think, refused to hear more of the subject.

The Soviet prosecutor appears to have abandoned the charge. The tribunal did not convict the German defendants of the Katyn massacre. Neither did it expressly exonerate them, as the judgment made no reference to the Katyn incident. The Soviet judge dissented in some matters but did not mention Katyn.

This history will show that, if it is now deemed possible to establish responsibility for the Katyn murders, nothing that was decided by the Nuremberg tribunal or contended for by the American prosecution will stand in your way.

Chairman MADDEN. Does that complete your formal statement, Mr. Justice?

Mr. Justice JACKSON. That is right.

And I may say that my files supporting this are open to your counsel at any time, as I think he understands.

Chairman MADDEN. If you have any further comments to make before the members propound questions, you are at liberty to make any comments you desire.

Mr. Justice JACKSON. Thank you, Mr. Chairman.

I think that tells the story of the situation, and I will be glad to answer any questions that the committee wishes to ask about it.

Chairman MADDEN. Do any members of the committee have questions?

Mr. MITCHELL. Mr. Chairman, may I just finish up one part of this now?

Chairman MADDEN. Proceed.

Mr. MITCHELL. Mr. Jackson, will you refer to part 5 of the Katyn Forest Massacre Committee hearings held in Frankfurt, Germany, page 1537, and will you read, please, the statement of Dr. Kempner?

Mr. Justice JACKSON (reading):

Count I, conspiracy, and count II, crimes against peace, were handled by the United States and by the British. Count III, war crimes, and count IV, crimes against humanity, were divided up according to geographical regions or districts. The French handled the war crimes and crimes against humanity as far as Western Europe was concerned. They were, so to speak, spokesmen, the prosecuting spokesmen, for the French, for the Dutch, for the Belgians, and other German-occupied western territories. The Russians were in charge of war crimes and crimes against humanity which were allegedly committed in the eastern areas, and if I say eastern areas, I mean the Soviet Union, Poland, and at the time they handled also Yugoslavia and Bulgaria, Czechoslovakia.

Mr. MITCHELL. Your prepared statement of this morning has satisfactorily cleared up any doubt that might be in the mind of anybody concerning that statement; is that correct, sir?



Mr. Justice JACKSON. I think so.

Of course, there were crimes against Greece which were also included in the eastern territory. We included some against the Lithuanians, Estonians, and the Baltic groups.

And while this division prevailed, it was not an absolute division, for the reason that conspiracy to commit these crimes was the responsibility of the Americans, and in establishing the conspiracy, we put in a great deal of evidence on those crimes ourselves, as I pointed out.

We put in a great deal about Poland, although it was not in our area on the crimes against humanity. It was in our area in the over-all conspiracy charge.

So that it is a little difficult to say that a very exact division was observed, because of the overlapping.

Chairman MADDEN. Mr. Counsel, for the record, I think you should identify who Dr. Kempner is.

Mr. Justice JACKSON. Dr. Kempner was a man who had been a German lawyer and was in the employ, I believe, of the OSS. My staff was not a staff that I hired. I borrowed the staff from other departments. I had no budget and I borrowed help. Dr. Kempner was borrowed from the OSS and assisted us there throughout the trial.

He then took a part in the subsequent trials.

Mr. MITCHELL. While participating, he was an American citizen, was he not?

Mr. Justice JACKSON. Yes; I think that is the case.

Mr. MITCHELL. Will you now refer to page 3 of your prepared statement, Mr. Justice?

In paragraph 2 the statement is made that:

We would keep hands off and leave the entire contest to the Soviet and German lawyers.

Now, there has been a great deal of talk that representatives of the United States, members of your staff, in some way or other, by implication or by assistance, tried to assist the Soviets in the proving of this case. Do you, to your personal knowledge, know of any individual who, in any way, participated in assisting the Soviets in proving this case against the Nazis, that is, an American?

Mr. Justice JACKSON. That is a very difficult question to answer as broadly as you have asked it.

Our captured documents were set up in a document room and our captured documents were available to the Soviets and to the Germans. For example, the document that the Soviets did use showing the telegram about the German ammunition, that was an American-captured document.

Our documents were available to both sides.

But that is the only document that we ever found.

Now, we did not permit the Soviets to go into our document room and make their own selections of documents. If there was something that bore on particularly their phase of the case, I suppose that some of our people furnished them those documents.

Other than that, I know of no assistance. In fact, there was not a great deal of even conferring between their staff and ours because the Soviets are not very sociable, I might say. They hesitate somewhat to be too much with us.

**Mr. MITCHELL.** Could you clear up for the record, please, the exact function of General Mitchell, who was the executive secretary? I believe it was he. Was he the American who was in control of making arrangements for the lawyers to meet?

**Mr. Justice JACKSON.** I cannot give you much information about General Mitchell. He was not under my control and he was not on my staff.

The tribunal, when it arrived, set up its own staff, and General Mitchell was selected by somebody to represent, as general secretary—I believe it was called—the tribunal. He did not in any way represent me. He was not a lawyer, and I suppose any instructions that he had came from the tribunal.

We had an American that I had asked to remain over there, Mr. Willey, now Clerk of the United States Supreme Court, who had gone over to help set up courts in that country. I asked him to come to Nuremberg to assist in the clerical work of the tribunal. The tribunal, however, got General Mitchell and put him over all four of the representatives.

**Mr. MITCHELL.** Do you know, to your own personal knowledge, whether any member of your staff participated in the discussions between the German counsel and the Soviet counsel?

**Mr. Justice JACKSON.** I could not say. I think they may have been present as observers, or something of that sort, because we were much concerned about not having a situation that would prolong this trial. But we took no part in any arrangements between the Soviets and the Germans about it. We thought that was their fight.

**Mr. MITCHELL.** Therefore, any member of your staff had no specific instructions from you to participate in preparing the case one way or the other?

**Mr. Justice JACKSON.** Oh, no.

**Mr. MITCHELL.** No further questions.

**Chairman MADDEN.** Mr. Machrowicz.

**Mr. MACHROWICZ.** Mr. Justice, referring to the final paragraphs of your statement, you state that:

The Soviet prosecutor appears to have abandoned the charge. The tribunal did not convict the German defendants of the Katyn massacre \* \* \*.

That is based upon the fact that there were no findings made by the tribunal; is that correct?

**Mr. Justice JACKSON.** That is right.

**Mr. MACHROWICZ.** Since the question has been raised at various times, I would like to have you give us your statement as to whether it could have been possible, if proper testimony had been adduced at the hearing, to convict the Soviets of the crime at the Nuremberg trial, in view of the four power nature of that tribunal?

**Mr. Justice JACKSON.** It could not.

**Mr. MACHROWICZ.** Will you explain why?

**Mr. Justice JACKSON.** They had not been indicted.

And if you will make reference to the very first page, you will see that my authority was only to prepare and prosecute charges of atrocities and war crimes "against such of the leaders of the European Axis Powers and their principal agents and accessories as the United States may agree with any of the United Nations to bring to trial before an international military tribunal."

Mr. MACHROWICZ. So it could not have been presented at the Nuremberg trial.

Mr. Justice JACKSON. It surely could not have been, nor was I at liberty to negotiate on any such subject.

Mr. MACHROWICZ. Did you at any time receive any instructions from anyone in authority to treat the Katyn case in any other manner than the other portions of the indictment against the Germans?

Mr. Justice JACKSON. No. As a matter of fact, I received very little instruction from anybody. The thing was a lawyer's job, and I had no instructions. If I may be so blunt as to say so, I thought that having once gotten me into it, there was a pronounced disposition to leave everything to me. I will not say exactly that it was to "pass the buck," but I was in charge of it.

Mr. MACHROWICZ. Do you have with you the exchange of any cables or other messages that were sent prior to the presentation of the Katyn case between you and any other representative of the United States Government?

Mr. Justice JACKSON. There was no cable that I know of, except the cable that I referred to, from General Clay, which I do have here. It is classified "Secret," and perhaps should not become a part of the record. But I should be perfectly satisfied to have the committee see it.

Mr. MACHROWICZ. May I ask whether you have any recollection of receiving a cable from Ambassador Lane in Warsaw?

Mr. Justice JACKSON. This, I suppose, originated with Ambassador Lane.

Mr. MITCHELL. Could the committee see that, please?

Mr. Justice JACKSON. Yes, certainly.

It may be a paraphrase, and may not, I don't know.

Mr. MACHROWICZ. Is that dated December 16, 1945?

Mr. Justice JACKSON. No; January 21, 1946.

Mr. MACHROWICZ. I would like to have you examine this exhibit I have here, which purports to be a cablegram from Ambassador Lane to Secretary of State Stettinius at Washington, with a copy to Berlin, Justice Jackson, Nuremberg, bearing the date of December 16, 1945, and I ask you whether you have a recollection of seeing that document?

Mr. Justice JACKSON. I could not say whether I ever saw that or not. I certainly would not say that I did not. There was a vast amount of material pouring in on us, and we had a number of people working on different branches of the case. I surely would not say that it might not have come to the attention of somebody in a responsible position with me.

Mr. MACHROWICZ. Do you remember any information received from Warsaw or Washington which would give you advice, let us say, similar to that contained in that cablegram?

Mr. Justice JACKSON. That was consistent with our attitude, and I have no recollection of any specific inference.

Mr. MACHROWICZ. You referred in your statement to statements made by Colonel Van Vliet, Colonel Stewart, and Colonel Szymanski. I believe you referred to Colonel Szymanski, who had testified before this committee. Is that correct?

Mr. Justice JACKSON. That is where I heard about it.

Mr. MACHROWICZ. Did you read those statements?

Mr. Justice JACKSON. No; I have not.

Mr. MACHROWICZ. Have you read the statements of witnesses that appeared to give testimony before this committee?

Mr. Justice JACKSON. No. I have not had time to do so.

Mr. MACHROWICZ. You are aware, however, that these three, Colonel Van Vliet, Colonel Stewart, and Colonel Szymanski, did, prior to December 1945, make reports to the Department of the Defense indicating Russian guilt for the Katyn massacre?

Mr. Justice JACKSON. I am so informed now; yes.

Mr. MACHROWICZ. Looking in retrospect, would you not think, then, that it would have been of assistance to you had you had those reports in your possession at the time?

Mr. Justice JACKSON. Of course, any information would have been helpful. If we had had information of that kind, I cannot pass on whether this would have been adequate, but if we had had adequate information of Russian guilt, we would not have consented at all to have it in. It would have strengthened our hand in keeping it out immensely and probably would have resulted in the Soviets not making the accusation.

Mr. MACHROWICZ. The point I wish to make is that you know now that prior to December 1945 the United States Government did have certain officials reports, namely, reports of Colonel Van Vliet, Colonel Stewart, and Colonel Szymanski, which very strongly indicated Soviet guilt.

Mr. Justice JACKSON. I understand they had such statements.

Mr. MACHROWICZ. Can you give us any reason that you might know of why those reports were not made available to you?

Mr. Justice JACKSON. I do not know where they were. You must remember that communication at that time was very difficult. I do not know where the reports may have been. I do not know what their reasons may have been for not calling them to our attention.

Since we did not propose to go into the litigation of this issue, they may have, knowing our attitude, thought they were not important. I would not know what their reasons were.

Mr. MACHROWICZ. Referring to a remark contained on page 5 of your statement, you state that the attitude of the Polish Government in exile was that the case should not be presented at Nuremberg; is that correct?

Mr. Justice JACKSON. That is what they concluded.

I will give you the photostats of the letter.

Mr. MACHROWICZ. Which letter are you referring to? The letter of the 12 Members of the Parliament?

Mr. Justice JACKSON. Yes. I will give you photostats of that.

Mr. MACHROWICZ. General Anders did offer to testify if he was requested to do so, by the tribunal; is that correct?

Mr. Justice JACKSON. I did not know of that until his book, as I have said, I did not know that Stahmer, who was Goering's counsel, had asked him to testify. I did know that Stahmer knew that these conversations to which Anders was a party had taken place, because the Germans filed with the tribunal a request for documents which would show that they knew that.

Mr. MACHROWICZ. Is there anything in these documents, Mr. Justice, which would indicate that this communication from the members of the Polish Parliament was sent to you as a result of instigation by the

British authorities, or as a result of conference with the British authorities?

Mr. Justice JACKSON. No; I do not think so. I do not recall anything in it that would give that indication.

Mr. MACHROWICZ. That is all, Mr. Chairman.

Chairman MADDEN. Mr. Dondero.

Mr. DONDERO. Mr. Justice Jackson, there is one thing in your statement that caused me to raise my eyebrows, and I am sure you may be able to help us on it.

It is on page 4, at the bottom of the page:

Second, if we were ever to depart from the policy of presenting documentary evidence, this atrocity was not a suitable instance because we knew of no witnesses who could supply oral proof to establish the identity of the perpetrators \* \* \*.

Now, the Nuremberg trial took place in 1945 and 1946.

Mr. Justice JACKSON. That is right.

Mr. DONDERO. There was presented to us—I will have to make this statement to you—there was presented to this committee at Frankfurt, Germany, what is known as a protocol or statement signed by 12 medical experts, representing at least 6 different governments of Europe, some of them neutral governments, to the effect that when the graves of these men were discovered by the Germans they had invited in these experts to make an examination of the bodies and to file such statement as they saw fit.

These 12 did so at the grave site, and such statement is now known as the protocol which was offered in evidence before our committee and is now a part of the record.

When we were in Europe we called before us as witnesses some of those 12, who were still living, and I recall the doctor from Denmark, Dr. Tramsen, and Dr. Naville, from Switzerland, and Dr. Miloslavich, of Yugoslavia.

It appeared that the other doctors who lived in the countries that have since been taken behind the iron curtain have committed suicide, or have died.

I do not have that statement before me, but it is dated as I recall, in May of 1943, which would be more than 2 years before the Nuremberg trials.

They stated that in the protocol these Polish officers or intelligentsia were killed, in their opinion, sometime in the autumn of 1939 or the early part of 1940. At that time, the ground in which these bodies were found was in possession of the Russians, and it is on Russian soil.

My question is: Did the tribunal of which you were a part, have before it any of that evidence either of that protocol or of the 12 doctors, representing some of the neutral nations, who made their findings at the graves in 1943?

Mr. Justice JACKSON. First, I would like to say that I was not a part of the tribunal. I was a prosecutor before the tribunal.

However, we knew of that report. What the tribunal knew about it I think was put in evidence by the Germans. That report was the subject of the controversy. The Germans had their report signed by the 12 doctors. The Russians had their extraordinary commission report, in which their doctors had looked at these bodies, not the same bodies perhaps, but they had exhumed bodies, and they gave their expert opinions.

Mr. DONDERO. Was that last-named commission wholly Russian?

Mr. Justice JACKSON. That is right.

Now, at the request of the Germans, we located Dr. Naville, whom I think you swore, and you will find in my statement at page 13, in the fine print, Congressman Dondero, that the tribunal allowed him to Goering, provided he could be located.

We found him in Switzerland, but he informed the tribunal that he saw no use in coming as a witness for Goering. In other words, some of these witnesses that may be available today were not going to help Goering and his crowd. That was the attitude of General Anders.

That correspondence was conducted between Goering's lawyer and General Anders, and he was not willing to come at their request.

We did not want to get into expert testimony. The Russians did have an enormous number of alleged witnesses, and we would be there yet if it called their 120 witnesses and the German witnesses.

The tribunal limited it to three on a side. That was not at our request, although I may say I was greatly relieved when I found that they had done it.

And I do not criticize them for it because, in the conditions of that time, I do not think it would have been a profitable inquiry.

Mr. DONDERO. The court had been in session a considerable length of time, I think 9 months, and it wanted to wind up its hearings and disband.

Mr. Justice JACKSON. That is right.

Mr. DONDERO. Now, I have one more thing.

You spoke of the German ammunition. Did the tribunal call before it any of the manufacturers of German ammunition to testify?

Mr. Justice JACKSON. No. There was no request from the Germans to do so.

You will find all that I know about the German ammunition in the fine print on note 20, on page 9. There was a letter which followed, and we never found the letter. It may be in existence. What the letter would have shown, we do not know.

Mr. DONDERO. The reason for asking you that question is this: There was presented to this committee in Frankfurt, Germany, the head, or the president of the company that made the ammunition, with his books, showing that firm had sold ammunition to the three Baltic States, and also to Russia some years before World War II had broken out. That rather indicated that even though it was German ammunition that was used in the killing of these men, there was an explanation as to how it got into the hands of the Russians. They had purchased it.

Mr. Justice JACKSON. That piece of evidence we did not regard as of any significance to ourselves, because of the fact that so much ammunition changes hands. You might find American-made guns in the hands of some of these other people. You cannot tell by the gun that is used who shot it.

Mr. DONDERO. The reason why I am inquiring of you, Mr. Justice, regarding that protocol of the 12 doctors, is that this committee felt if they could fix the time that these men were killed, they could also fix the guilt.

Mr. Justice JACKSON. That is right.

Mr. DONDERO. And these doctors, some of them from neutral countries, signing this statement showing that they were shot either in the

fall of 1939 or the cold months of 1940, up to May 1, indicated that at that time Russia was in complete control of that part of her territory on which the graves were found. So that it made it almost physically impossible for the Germans to have committed the crime.

Mr. Justice JACKSON. If you fix the time of that crime, you fix the responsibility. I fully agree.

Mr. DONDERO. That was the opinion of this committee.

Mr. Justice JACKSON. But the difficulty, from our point of view, about that, was that all that we had by which to fix the time was the opinion of doctors, based on the condition of the bodies.

While I do not want to say anything disrespectful of a brother profession, God save the man who has to prove his case by expert testimony, because it is a terrible proposition.

The Russians had their doctors, too, and they called one of the German doctors who testified.

Mr. DONDERO. Was there anything submitted, Mr. Justice, in the Nuremberg trial as to mute evidence found on the bodies of these men?

Mr. Justice JACKSON. Except as is found in these reports.

Mr. DONDERO. There were presented to this committee post cards, letters, and other documents found in the pockets of these men. But none of them bore a date later than May 1, 1940.

Mr. Justice JACKSON. You had a great deal of evidence that we did not have.

Mr. DONDERO. That you did not have?

Mr. Justice JACKSON. That is right; a great deal of it.

Mr. DONDERO. There is just one thing more, and that is at the bottom of page 4:

The Polish Government then in power at Warsaw kept a delegation at Nuremberg which cooperated closely with the Soviet in all matters.

At that time, Mr. Justice, Warsaw was in complete control of the Russian Government, was it not?

Mr. Justice JACKSON. That is correct.

Mr. DONDERO. That is all I have, Mr. Chairman.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. Mr. Justice, here is the conclusion of the committee:

The evidence, testimony, records, and exhibits recorded by this committee through its investigations and hearings during the last 9 months overwhelmingly will show the people of the world that Russia is directly responsible for the Katyn massacre.

And here is the significance:

Throughout our entire proceedings there has not been a scintilla of proof or even any remote circumstantial evidence that could indict any other nation in this international crime.

How many staff members did your division, or your office, have at the Nuremberg trials?

Mr. Justice JACKSON. We had a very large number. I do not know just what you wish to include in that. We had translators and interpreters. I never knew just what our staff consisted of because the Army did a great many things in connection with it. But it was a very large number.

Mr. O'KONSKI. Would that run into the thousands?

Mr. Justice JACKSON. No. I think that at its maximum, including translators, people assigned by the Army to run mimeograph ma-



chines—we had to make copies in four languages of everything that was used in the tribunal—I think our American personnel at its maximum was about 750.

Mr. O'KONSKI. This committee was made up of seven members, and we had one counsel and one investigator. We came to this conclusion.

Now, since the conclusion was so obvious, is it not logical to assume, then, that either one of two things happened at Nuremberg:

No. 1. Your staff did not make a conscientious effort to get the evidence, or

No. 2. The evidence which was available at that time was deliberately withheld from your people?

Is not that a logical conclusion after listening to the conclusion of this committee?

Mr. Justice JACKSON. No; that is not a logical conclusion, Mr. O'Konski. You have used a great deal of evidence, if I rely on the newspapers, that we could not have introduced. We could not call a witness, for instance, who was masked so that his identity could not be determined. We could not use that kind of testimony.

You may be entirely satisfied with evidence because you, no doubt, know the man and know his history.

But I use that merely as an example of the availability of evidence to a congressional committee that we could not have used in court if we had found it. My staff was never instructed—and I take the full responsibility for it—was never instructed to investigate this atrocity, because, from the very beginning we told the Soviets, and the Germans well understood it, that it was to be settled between them.

Chairman MADDEN. Mr. Sheehan.

Mr. SHEEHAN. Mr. Justice, I have one or two questions with reference to the Nuremberg trials and the Korean situation as we know it today.

First of all, on page 6, I want to refer to two sentences in your statement. No. 1 is:

We did not learn of any usable evidence in American possession.

No. 2 is:

I knew of nothing, at any time during the trial, of Colonel Van Vliet, Colonel Stewart, or Colonel Szymanski.

In talking to Congressman Machrowicz a little while ago, you said that if you had some of that evidence brought to your attention at the trial you would not have permitted the Katyn phase of it to be put on the indictment; is that right?

Mr. Justice JACKSON. If that had been available to us before October 20 or the 18th—I have forgotten whether it was the 18th or the 20th that the indictment was filed—we might very well have kept this out of the case entirely.

Mr. SHEEHAN. Is that 1945, or 1946?

Mr. Justice JACKSON. 1945.

Mr. SHEEHAN. Did anyone from our State Department make any attempt to give you any evidence that they had about the Katyn situation, any material?

Mr. Justice JACKSON. No.

Mr. SHEEHAN. Did anybody in the Army Intelligence, G-2, make any attempt at any time to give you any evidence that they had?

Mr. Justice JACKSON. I have recited to you exactly what they gave us, the date that they gave it, and I have it in my files available to your counsel.

Mr. SHEEHAN. Permit me to be specific. I mean things like the Van Vliet report, things which have disappeared that you could not have had.

Mr. Justice JACKSON. I never heard of the Van Vliet report until I heard it was lost.

Mr. SHEEHAN. Then there was Captain Gilder, who gave a report to G-2, who was a British officer who went to Katyn and testified on this report that the Russians were guilty. Did you ever get that report?

Mr. Justice JACKSON. I never got that report.

Mr. SHEEHAN. Therefore, should not an attempt have been made by our American officials in the State Department, the executive, or the G-2, to bring to your attention all the evidence they had, such as reports from military attachés, ambassadors, and so forth?

Mr. Justice JACKSON. I am not prepared to criticize them.

Mr. SHEEHAN. It is not criticism; I just called it to your attention.

Mr. Justice JACKSON. It would be criticism if I said they should have brought it to my attention, and did not.

You have to remember the conditions at that time. The Army was closing up a war over there. I am not going to criticize the other services.

If I had known of and asked for something and they had withheld it from me, then I should criticize them. But the fact that they did not bring something to my attention that now would appear to have been useful to have had—you see, we had so much. We had over 100,000 documents that my staff screened out. We translated over 5,000 documents and put in evidence over 4,000 documents, making our documentary case.

It is hard to say that they were under any criticism because they did not produce it. That is a conclusion for the committee to draw, and not for me to say.

Mr. SHEEHAN. I might only remark on that, Mr. Justice, that if we waited for some of these documents to come from G-2 and the State Department we would be in the same mess you fellows were in in Nuremberg. We get what we are looking for specifically, and we fight for them.

Now, I will ask my other question.

As you can well see, the Nuremberg trials have had an effect on this Katyn investigation, and our committee has gone on record rather informally that the Congress should do something about the Korean problem, because we have found our American soldiers murdered in much the same manner as the Polish soldiers were, with their hands tied behind their backs and with a single bullet hole. Some of us have concerned ourselves about the international military tribunal, the precedent you men set up in London and Nuremberg. So that some of the questions our committee is interested in come from that particular angle, and I would like to phrase them to you in this way:

No. 1, I want to ask about the precedent that you set up at Nuremberg. When I say "you," I mean the Nuremberg trials, the International Military Tribunal.

We have heard much in the last couple of months and several years of guilt by association, and you have personal feelings on that, I assume.

However, in State Department Document 3080, you point out—and, if you want, I will read it to you—that the purpose of the Nuremberg trials was only to find certain organizations guilty so, by the same token, you can then find a lot of individuals guilty.

Is that a good legal and moral premise?

Mr. JUSTICE JACKSON. That is not the premise that I stated.

Mr. SHEEHAN. Just so that we may know the interpretation, may I read your direct quotation there?

Mr. JUSTICE JACKSON. You can take thinks out of context.

Mr. SHEEHAN. No; I will read the whole paragraph. All right, whatever you like.

This is document published by the State Department, No. 3080, which was the stenographic record of the report of the London Conference which set up the International Military Tribunal. You are the author of this particular document, and the quotation I have here, according to the document, is:

I have never thought of this as a permanent tribunal. The whole American plan which was professed here was designed to reach a very large number of people at a single trial, or, at most, perhaps a very few trials. That is the reason we have tried to reach people through organizations. We have not thought of it as a trial of 15 or 30 people, but we have thought of it as a trial the result of which would affect thousands of people at least.

And in your direct testimony here you said you only heard from 13 oral witnesses.

Do you think this procedure of indicting a couple of organizations and indicting all the people per se is a proper legal and moral thought?

Mr. JUSTICE JACKSON. Not if you put it that way. That is not what we did; that is not what we proposed to do.

I can explain it to you if you care to have the explanation.

Mr. SHEEHAN. Yes.

Mr. JUSTICE JACKSON. Certain organizations, such as the SS, the SA, the Gestapo, were founded for certain purposes. Men joined those well knowing their purposes. We did not propose to start out to find each individual and have each individual try the question of the character of his party.

That is one of the difficulties that is inherent in the present situation in the United States in which in each individual case involving Communists you are going over the same old material about the central core of the party and its teachings and what they mean.

We proposed to put the organization on trial and ascertain its purposes, its character, and have that declared. Anyone who showed any interest in it should have the right to come in and make a defense of the organization; but, once that had been found, the individual could not thereafter say, "Well, it is true I joined it; I participated, but it was an innocent organization."

But what he could say was, "It is true I joined it, but I had a gun at my back," or "I was defrauded into it; I did not understand it."

But the central core of guilt or innocence of the party, the group of the SA and the Gestapo, we proposed to dispose of in one trial.

And I think you will find that was explained clearly throughout those London proceedings.

Now, those proceedings took place before we knew that the Control Council was going to set up a denazification policy, which I had nothing to do with. If we had known that, we would not have bothered probably with the organizations, because the denazification program went considerable farther, on paper, at least, than any proposal that we made.

But the proposal was to try, first, the general purposes, plan, teachings, and criminality of the organization as such, and then to allow any individual to be heard as to why he participated in it.

Mr. SHEEHAN. Thank you.

That straightens that out, because it concerned me that you were going to affect thousands of people by trying the organization.

Mr. Justice JACKSON. It is very confusing. Discussions among four men with different legal systems is very confusing.

Mr. SHEEHAN. I am only reading from the record, and we like to straighten this out because our committee is concerned about the Nuremburg phase.

Another thing that concerns us and which you probably will be able to straighten out is this: You stated in these London hearings, in Document 3080, that you expressed grave doubts about the trial procedure, and you went on to make it clear that the proposals were to be contained, setting up the trial, in an executive agreement by the President as Commander in Chief.

Otherwise, you stated, the delays would occur because the agreement would then have to be ratified by the United States Senate.

My question is: This idea of bypassing the Senate to get a commitment on foreign agreements, was that set up to you as a matter of policy that you had to follow, or was this your idea?

Mr. Justice JACKSON. How do you mean "set up to" me?

Mr. SHEEHAN. Set up by executive agreement, the Nuremberg trial.

Mr. Justice JACKSON. Certainly. That was the policy of the United States, to work this out by executive agreement.

Mr. SHEEHAN. And not to give in at all to the United States Senate?

Mr. Justice JACKSON. The resolution that Congress had had—I do not recall what became of it—went farther than anything we proposed.

Mr. SHEEHAN. These are just personal questions.

Let me put it this way: Do you think that this idea of working out all these things by executive agreements and bypassing the Congress and the Senate are good for the country in the long run?

Mr. Justice JACKSON. In view of the cases that come before our courts sometimes, I think I would rather not express an opinion on the general policy of matters of that kind. It depends very much on what it is.

Mr. SHEEHAN. All right. I respect your opinion.

The reason why I bring that up is because of this fact: We have recently been apprised that a certain Chinese jurist who served on the International Military Tribunal in the Far East crimes has brought up something. His name is Mei Ju-so. He is accusing the United States now of military crimes, germ warfare, et cetera, against the Koreans and the Chinese. He has proposed publicly someday to bring us to trial, if they are ever victorious, for these crimes.

Now, in view of the precedent that we have set up in the Nuremberg trials, after every war may not there be these wholesale trials of both civilian and military personnel?

Mr. Justice JACKSON. I have answered that several times in this way, Mr. Sheehan: What is new about the Nuremberg trials is not that the conquered is executed by the victor. What is new about the Nuremberg trials is that he gets a trial before he is punished.

And, if I am ever captured by the Soviets, I will thank God if I get as fair a trial as we gave the Germans at Nuremberg. I do not expect it, and I beg for it, because the tribunal acquitted a great many of the people that we thought, on the face of what information we had, were guilty.

But many of them were acquitted on some of the charges, and some of them were acquitted on all of the charges.

I have never heard even the Germans, even Lord Malmesbury, criticize us for having trials. He said these trials were fair, and that is what I would not expect if I got captured by the other side.

Mr. SHEEHAN. I am quite willing to agree with you.

Mr. Justice JACKSON. I do not think we would wait for that.

Mr. SHEEHAN. There is one other thought I would like to have you dwell on, if you will, and I think that perhaps I ought to read your quotation from the report. This is your statement:

Now, it may be that we were mistaken in our attitude and philosophy and that what Germany has done is right and legal, but I am not here to confess the error, nor to confess that the United States was wrong in regarding this as an illegal war from the beginning and in believing that the great crime of crimes in our generation was the launching of a needless war in Europe.

In other words, from the document, apparently there was some question as to whether or not you were right.

In view of the situation as we see it in Korea, and in view of the results of the Nuremberg trials, would you care to make any comment as to whether or not you think that, as of now, the Nuremberg trials served a useful purpose?

Mr. Justice JACKSON. Of course, I am not entirely a disinterested witness on that, you understand.

Mr. SHEEHAN. I realize that.

Mr. Justice JACKSON. I think they did. I think that, had it not been for the trials, you never could have had the collection of documents which exhibit the origin of that war as they do now.

These men in the dock had a chance to deny these documents and, as the tribunal pointed out, there were almost none of them denied.

Then, too, we showed—and I think it is important to the future of international law—that the lawyers representing four different systems of law can find common ground for settling a controversy by judicial process instead of resorting to war.

I think that maybe in the long run the best thing that was accomplished is that, because heretofore it has always been thought that you could not do that kind of thing.

Then, too, there is a store of documents that if they were properly used, in my opinion—and it is my opinion you are asking for—if they were properly used, would very greatly strengthen the position of democracy in Germany. I think they have never been properly used, brought to the attention of the German people.

I will give you one example only, because I do not suppose you want to spend all day on this.

Mr. Speer, who was the Minister of Production, testified as to his conversations with Hitler and with other of the high Nazi officials

after it was apparent that we were going to take Germany. He tried to get them not to destroy bridges, electric-light plants, and other things, pointing out that the German people would be the ones who would suffer if those things were destroyed.

He pointed out it was the German people who had to live there; the rest of us did not. And Hitler's remarks about the German people, that they were undeserving, I think is one of the most important assets the United States and the other powers have for a free Germany against the rising nazism, if it had been exploited.

Those things are at least available.

Then I think we established the principle that aggressive war is a crime, and I am for that principle. I do not care whether the aggression comes from our side or the other. We cannot have a rule of international law that applies only one way.

I feel that a great deal was accomplished. But, as I say, I am an interested witness, and there are those of distinction and ability who disagree with me.

Mr. SHEEHAN. Could you enlarge on the term "aggressive warfare"?

Mr. Justice JACKSON. By "aggressive warfare" as defined to the tribunal, we could not get the Russians to agree on a definition of it. In the document which you have been quoting, you will find we spent a good deal of time. We endeavored to adopt their definition as contained in the Baltic treaties. But they did not want to adopt their own definition.

It was not very important to us for the particular purposes of Nuremberg, because, in view of the documents that we had, Hitler's instructions to his generals, and his conversations and speeches to them in what he thought were private gatherings, his conduct was aggressive by anybody's definition.

So, it did not become very important to us.

But we have never been able to agree on a definition of what constitutes aggression.

Mr. SHEEHAN. My reason for asking that question, Mr. Justice, is that it seems to me that North Korea, in view of the present situation in Korea, certainly by any standards would be judged an aggressor, and, I think, China, with all the assistance and everything she has been giving to North Korea, there is the possibility of their being judged aggressors.

Also the Russians, with their help in arms and ammunition and now soldiers, they might be so judged.

But no nation has called anybody an aggressor except the North Koreans. Yet we, by the terms of the philosophy that you are expounding, certainly would classify them as aggressors, and yet we take no action to brand them to the world as aggressors.

You may or may not want to comment on that.

Mr. Justice JACKSON. I think I would rather not comment on that.

Mr. SHEEHAN. That is all I have, Mr. Chairman.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. Would you consider the Russian unprovoked attack upon Finland in 1939 as an aggression, Mr. Justice Jackson?

Mr. Justice JACKSON. I would rather not pass judgment on that, because I have never examined the documents, as I have in this case. If you asked me my offhand impression from what I read in the newspapers, my answer would be the same as yours. If you ask my opinion

as one who feels some responsibility for his opinions on legal subjects, I would say that I have not adequate information.

**Mr. O'Konski.** The same thing would apply in the case where Russia took over Latvia, Lithuania, and Estonia before 1940, and the same thing would probably apply to the manner in which Russia took over half of Poland in league with Hitler in September of 1939.

That may be neither here nor there, because under the regulations and under the manner in which your high tribunal was established—by “your,” I mean the combined efforts of the four major powers—you do not bring the charge, and I notice the United States was allocated the over-all responsibility on conspiracy to incite and wage a war of aggression. That was the American responsibility at the Nuremberg trials.

Under the procedure, there was no way in which the United States of America, in meeting its responsibilities of this allocation of power, could have brought the charge against Russia, of aggression against Finland, Latvia, Lithuania, Estonia, and Poland. There was no way in which it could be done at Nuremberg, was there?

**Mr. Justice Jackson.** That is true. But you will find, with reference to Latvia, Estonia, and the Baltic States, that we refused to accede to their description of them in the indictment. We had a considerable rumpus about it because, from their description, the inference was possible that they were a part of Soviet territory, as I guess they are now, in fact.

And we refused to accept that. And we came near not being able to file an indictment because of our disagreement about it.

Finally, in order to get on with the business, I let them file the indictment, and I filed with it a statement that nothing in that indictment could be construed as a recognition of any claims of the Soviet Union in any of those states.

So that there could never be a claim made that we had in any way recognized the validity of Russian action in those states.

**Mr. O'Konski.** In the same manner, Mr. Justice, even if the various agencies of the Government had given you all this evidence which was available, that the Communists were responsible for the Katyn murders, still you could not do anything about it even if you had that evidence; is not that correct? You could not do anything about it, under the procedure of the trial?

**Mr. Justice Jackson.** We could not have proceeded against them.

What we could have done would be that with that strengthening our hand, we could have insisted that it not be brought in at all. But you would be in the same place you are today; you would not have it settled.

**Mr. O'Konski.** Then I would like to have your comment on this, Mr. Justice: If a nation has committed vast crimes against humanity or has committed vast acts of aggression, be sure to get on the winning side of the war, get a seat on the high tribunal, and you can never be prosecuted for the crimes that you have committed.

In other words, suppose, in the closing days of the Korean war, Russia should reverse itself and join us as an ally and then sit at the table of the high tribunal. As long as they are on the winning side, as long as they get a seat on the high tribunal, there is no way in which they could ever be prosecuted for their acts, crimes against humanity, or acts of aggression; is not that right?



Mr. Justice JACKSON. I do not know how you could ever prosecute a prisoner that you cannot capture. Even in our own domestic society you first have to get physical power over him before you can do anything to him.

Mr. O'KONSKI. The thing that worries me, Mr. Justice, is that, the way the tribunal was set up a nation can go on. From our investigation there is no difference between Hitler and Stalin. I think that your tribunal did a very good job in hanging the Germans who were responsible for these acts against humanity.

But in our investigation all the way through, we found out that the acts of genocide by the Communists are just as vicious as the acts of genocide used by Hitler. They are of the same pattern, cut out of the same cloth.

It seems to me that, according to the way the tribunal was set up, Russia is going to be able to get by with its program of genocide and never get to trial, because they have maneuvered themselves into the position of being on the winning side and get a seat as a judge.

Mr. Justice JACKSON. I will make a bargain with you, Mr. Congressman. If you will capture Stalin, I will try him.

Mr. O'KONSKI. I will ask for that job myself to be sure he hangs. I wouldn't trust another Nuremberg trial.

Chairman MADDEN. Mr. Machrowicz.

Mr. MACHROWICZ. Mr. Justice, apparently there has been some confusion as to the position of the London government at the time of these hearings. So there may be no misunderstanding, I would like to read from the last paragraph of the letter you presented us, the letter from the parliamentary group to you dated February 15, 1946. That letter points to the fact that there is strong indication of Russian guilt, and they state as follows:

These circumstances show that the fate of the Polish officers in the Russian POW camps has not yet been fully elucidated.

The crime perpetrated upon them at Katyn, contrary to every feeling of humanity and violating international law and custom, does not only concern the families of the victims. The entire Polish Nation is entitled to demand that this tragedy be cleared up.

In view of these facts and circumstances, the undersigned would like to express the opinion that it would be ill-advised to include the Katyn case in the tasks of the Nuremberg Tribunal. This case is of a special character and needs, in order to be fully elucidated, to be examined apart and treated independently by an international judicial body.

Would you not say that their position was that in view of the fact that there is a strong indication of Russian guilt and in view of the fact that the tribunal, as constituted at Nuremberg, could not possibly find Russian guilt; that they did not consider that the proper tribunal to try the case? Is that a fair statement of their position?

Mr. JUSTICE JACKSON. That is a fair statement of their position, and that is what I understood their position to be, and I agreed with that.

Mr. MACHROWICZ. That is all, Mr. Chairman.

Chairman MADDEN. Do any other members of the committee have any questions?

Mr. SHEEHAN. I have one or two questions, Mr. Chairman.

I just want to get this on the record for our purposes, Mr. Justice.

When you and I were talking, you referred to that Soviet agreement in 1933, where they did agree with certain Baltic States about the definition of crimes of aggression.

I think, for the purpose of our members here, I would like to read the four things they did agree to as being crimes of aggression in this 1933 agreement:

1. Declaration of war upon another state.
2. Invasion by its armed forces with or without a declaration of war of the territory of another state.
3. Attack by its land, naval, or air forces with or without a declaration of war on the territory, vessels, or aircraft of another state.
4. Provision of support to armed bands formed in the territory of another state, or refusal, notwithstanding the request of the invaded state, to take in its own territory all the measures in its power to deprive those bands of all assistance or protection.

That was the agreement that Russia signed in 1933 at a convention for the definition of aggression signed at London by Rumania, Estonia, Latvia, Poland, Turkey, the Soviet Union, Persia, and Afghanistan.

I merely relate that to the committee because, judging from the conduct of Russia during the last 10 years, she has been guilty of every single one of the acts of aggression, by her own definition.

Mr. JUSTICE JACKSON. That is the definition I tried to get adopted, because, logically, if you were prosecuting persons for aggression, it would be well to include a definition.

But, as I say, for our purposes, the failure to have a definition of aggression was not serious because, under any definition of aggression, Hitler's acts would come within it.

But they refused to accept as general the definition which they had applied in these particular treaties.

Mr. SHEEHAN. As a matter of information, for our committee, Mr. Justice—and in this I understand in your position on the Supreme Court you may not want to talk to us except in an executive session—but we were thinking actually of what we could do to bring this to the attention of the world in the sense that, from the definitions as we know them at Nuremberg, and from the regular practices of law, if, on the basis of the findings of Katyn, if we could not still indict Russia for aggression on the basis of the knowledge we have?

Of course, as you say, we did not have the prisoner. It is a question of world opinion.

Mr. JUSTICE JACKSON. I gathered from your interim report that you had done that. The difficulty is that you do not have the prisoner.

Mr. SHEEHAN. In your opinion, Mr. Justice, do you think it was a worth-while gesture, or not?

Mr. JUSTICE JACKSON. I think that the exploration of this subject is a thoroughly wholesome thing. That is one of the reasons why I co-operated with your counsel, or tried to, and why I say that my files are open. I am ready to give any help that I can in it.

Mr. SHEEHAN. Mr. Justice, I have one more question.

This, as I understand it, was turned in to the War Crimes Commission at Nuremberg, and I was just wondering, from your standpoint, do you have any idea of when this was turned over, the approximate date?

I may first preface it with this remark: As I remember it, the original indictment of the Katyn massacre, which the Russians put in the indictment, was the fact that the men were killed in September of 1941, and it would seem to us that this document I have here would more or less prove or lend a reasonable doubt as to the time.

So if this document had been available to you before the indictment, or to your staff, it certainly should have stopped the Russians from putting in a specific date in the indictment.

Mr. Justice JACKSON. I do not know what the indictment is, so I cannot say when it was received.

And I do not know I can do that by looking at it, because we had a collection of over 100,000 documents and I did not see them all.

Mr. MITCHELL. For the record, I believe this document was sent by General Bissell when he was military attaché at London, which was after 1946 and after the indictment. I do not know whether it reached the Nuremberg trials. It was returned.

Mr. Justice JACKSON. It has the date on it, the 4th of August 1949. I do not know what that means.

Mr. O'KONSKI. I think I can help you on that.

Mr. Justice JACKSON. This is a receipt by General Telford Taylor, who was my successor, and he was not appointed brigadier general until he was named as my successor.

This was not only after the indictment, but was after the international trial was practically completed.

Mr. O'KONSKI. I think, in answer to that, Mr. Justice, you also wrote a letter after the trials to General Anders saying that you got that, but it came too late. And even if that was not the case, there was not anything that could be done about it because of the set-up of the tribunal. It was not your responsibility to charge crimes against humanity. That was a Russian responsibility.

Mr. Justice JACKSON. I remember writing to General Anders when he sent me his book. So whatever you say is doubtless correct.

Chairman MADDEN. Do any members of the committee have further questions?

Does counsel have any questions?

Mr. MITCHELL. No further questions.

Chairman MADDEN. Mr. Justice, speaking on behalf of the members of the committee, we wish to thank you for coming here today and giving us your testimony.

As I stated before, when the resolution was before the Congress, a number of Members of Congress inquired regarding the Nuremberg trials. Your testimony has been very enlightening and valuable from the standpoint of what this committee will submit to the Congress on this phase of the hearings.

I might ask your opinion regarding the matter. If you care to present it, we will be glad to receive it.

Our committee, especially when we were in Europe, publicized the testimony of the witnesses. There was testimony brought out by 32 witnesses at Frankfurt and also exhibits were introduced numbering into over a hundred.

This testimony was daily chronicled, printed, and sent out over all the free countries of Europe, by the daily newspapers and the radio. It was conveyed to the people over there every day. Not only was it presented to the free countries, but through Radio Free Europe and also the Voice of America, it was carried behind the iron curtain.

Just as an example of what I am proposing to ask, I might say this: Two members of the committee visited Berlin. There was a convention of the free journalists of both Eastern and Western Europe in

Berlin at the time. Some of these journalists had escaped from behind the iron curtain.

The comment of some of these journalists was that the facts that were revealed by our committee while in Frankfurt brought to the minds of millions of people in Europe, both outside and behind the iron curtain, a picture of the false propaganda which the Russians had been circulating regarding the guilt for the Katyn massacre. This testimony completely refuted all this propaganda that the Communists had been circulating.

One journalist there in Europe had a reproduction of a broadcast that went over the Warsaw radio a few nights before. This broadcast tried to explain to the hundreds of people that had requested the reason why the Russian Government did not answer our invitation to appear before our committee to give testimony on the Katyn massacre.

Testimony came to the committee that the bodies that were found at Katyn were just a fraction of the massacres, barbarities, and genocide that the Soviets had been inflicting on other captured countries.

By bringing out this testimony to the attention of the people in Europe behind the iron curtain and also to the world generally, I think our committee has contributed a great deal to world public opinion that something should and must be done by the free nations about international criminals.

And, of course, the enslaved people behind the iron curtain are crying for some kind of termination to the atrocities and the genocide that is going on today.

The members of our committee are going to follow through in the next Congress in trying to persuade the United Nations to take steps to terminate these atrocities, massacres, and barbarities that the Communist government today is committing.

Mr. Justice, from your experience in the Nuremberg trials and as a public official, would you have any suggestions or any comment you would like to make to this committee as to what could be done in addition to what is already being done to try and create a world public opinion to see if something could not be done to slow down the genocide and the atrocities that are being committed?

I might say that since the work of this committee started, we have not heard much about atrocities in Korea. I think the work of this committee has already slowed up the Communists on some of the wholesale slaughters that had been going on in Korea.

Do you have anything you would like to state in the way of comment, Mr. Justice, for the information of the committee, in that regard?

Mr. Justice JACKSON. I think in that respect that your effort is very similar to the purpose that we sought to accomplish at Nuremberg: To pin responsibility where responsibility belongs, to make known to the public these atrocities, to bring about a state of public opinion in which war will not be the way to settle controversies.

I see nothing inconsistent there. I think you are working along very much the same ultimate lines that we were. But you have a particular incident on which you can focus the light, whereas we were dealing with a more confused and larger situation growing out of the whole war.

Mr. MITCHELL. I have a statement, Mr. Chairman.

Chairman MADDEN. Very well.

Mr. MITCHELL. Mr. Justice, you referred to the masked man who appeared before this committee. I think I will now have to reveal what the committee instructed me to do on that. That masked man is available today in the United States. That masked man, if this case ever goes before the International World Court, will, I am sure, stand before that World Court and testify.

We are not an official court. Consequently, the masked man testified in that fashion. He has a family; he is disfigured. That was no publicity stunt, or anything of that kind.

But I want the record to clearly show that that individual, who was the only eyewitness of this massacre, is available, and even if the Soviets would like to join in the World Court at that time, I am sure that he can be induced to talk to the world.

Mr. Justice JACKSON. I do not want you to take my observations as any reflection on your work, because I was answering a question as to why we could not do these things, and it is quite plain that you can take a great deal of evidence that we could not.

Mr. MITCHELL. This committee has traveled all over the world to get that evidence. It is officially documented. This committee will stand on that evidence before any international tribunal, and I am sure the case will stand up.

That is a personal opinion.

Chairman MADDEN. Mr. Sheehan, do you have any further questions?

Mr. SHEEHAN. Along the lines that the chairman brought out, as to your opinion on the fact that we are trying to form or develop world opinion, I would like to ask you this question, and as a legal opinion, not a political opinion, if you may want to answer it:

Under the present set-up of the World Court of the United Nations, does the world have any legal means of trying Russia for the atrocities which we assume or allege she is guilty of today? Is there any way that we could do it legally?

Mr. Justice JACKSON. I think that is a question on which I had better not express an offhand opinion.

Mr. SHEEHAN. The thought is, Mr. Justice, that, under the principles laid down at Nuremberg, of trying to prevent aggression, and as the precedent is set up, will we have to wait until after, say, peace is declared in the world to try the Communist nations in Korea, and can the Nuremberg trials be used as a precedent?

Mr. Justice JACKSON. You have to bear in mind that Nuremberg was not something that we thought out as a matter of theory. We were confronted with certain facts. We had as prisoners German Goering, Ribbentrop, and all of these men. They had been accused of the worst things imaginable.

There were three things we could do with them, one, we could just let them go. And if you will remember the tempo of those times, you know that that would have been impossible.

Another thing we could do would be to just execute them or otherwise punish them, without trial. That always would go against the conscience of the American people, in my opinion.

The only thing left to do was to give them a trial.

So that the Nuremberg trial grew out of the fact that you had the prisoners, you had the charges, and, fortunately, we captured the evidence.

I do not know, to be perfectly candid with you how we ever would have come out if we had had to use oral testimony, because it is so vulnerable to attack. The great thing that saved the Nuremberg trial was the capture of innumerable incriminating, authentic documents.

If you do not have those things, you are going to be greatly handicapped in any international trial, in my experience.

Chairman MADDEN. Are there any further questions?

Mr. Justice, we are indeed very grateful to you for coming here and testifying. Your testimony is very valuable.

Mr. JUSTICE JACKSON. I shall be glad to be of any help that I can.

Chairman MADDEN. Because your prepared statement has many footnotes for references which you did not mention when you were reading the statement for the committee, we will accept your entire statement at this point as exhibit 6. The photostatic copies of correspondence from the Polish Government in exile in London which you mentioned earlier as having received will be marked "Exhibit 7." The committee will now recess until 1:30 p. m.

(Thereupon, at 12:15 p. m., a recess was taken until 1:30 p. m. same day.)

Exhibits 6 and 7 were received in evidence and follow:

#### EXHIBIT 6

##### THE KATYN FOREST MASSACRE AND THE NÜRNBERG INTERNATIONAL TRIAL

Statement by Robert H. Jackson before Select Committee of House of Representatives To Investigate the Katyn Massacre

The guilt for the Katyn Forest massacre has not been adjudged by the Nürnberg Tribunal and inquiry into it is not inconsistent with the position taken by the United States prosecution at the Nürnberg international trial of Goering and others.

It was my responsibility to conduct the prosecution on behalf of the United States. I am glad to inform you in detail concerning all decisions and actions in reference to the Katyn atrocity and the reasons which conduced to them.

The first step that seems pertinent<sup>1</sup> was an agreement to divide primary responsibility for preparation and presentation of the case among the prosecutors representing the four allied powers. This was intended to fix on someone responsibility for covering each part of the case, to avoid duplication, and to expedite a trial of unprecedented complexity.

To the United States was allocated the over-all conspiracy to incite and wage a war of aggression. The British were assigned the violation of specific treaties and crime on the high seas. Violations of the laws of war and crimes against humanity were divided on a geographical basis. The French undertook crimes in Western Europe, and the Soviet prosecution was assigned the duty of preparing and presenting evidence of crimes in Eastern Europe—an area largely in Soviet occupation, and to much of which the others of us

<sup>1</sup> Earlier steps included my appointment by President Truman on May 2, 1945. The order defined the duty as follows:

"... preparing and prosecuting charges of atrocities and war crimes against such of the leaders of the European Axis powers and their principal agents and accessories as the United States may agree with any of the United Nations to bring to trial before an international military tribunal." Exec. Order No. 9547, 10 Fed. Reg. 4961.

Also included was a conference of representatives of the four nations to reach preliminary understandings as to how, in view of their different languages, systems of law and methods of trial, they would proceed. The conference began in London, June 23, and concluded August 8, 1945, when an agreement was signed by the United States, the United Kingdom, the Soviet Union, and the Republic of France, subsequently adhered to by nineteen other powers. The minutes, proceedings, and agreements are published. International Conference on Military Trials, Dept. State Pub. 3080.

I shall cite two official publications. One is the Nazi Conspiracy and Aggression series of 11 volumes of the Nürnberg international trial documents in English (GPO). They are cited herein as N. C. & A. The other is the official transcript of the proceedings and testimony, International Military Tribunal, Trial of the Major War Criminals, 42 volumes in English except the documents, which are set forth in their original language. They are cited as Proceedings.

The indictment is found I N. C. & A. 13 and 1 Proceedings 29.

had access. The geographical area thus assigned to the Soviet representatives included Katyn Wood and Poland as well, but at that time it was not known that the Katyn massacre would be involved.

The first proposal that the Nürnberg trial should take up examination of the Katyn massacre came from the Soviet prosecutor during the drawing of the indictment. Preliminary drafts were negotiated in London at a series of conferences where I was represented but not personally present. At the last London meeting, the Soviet prosecutor included among crimes charged in the East the following: "In September 1941, 925 Polish officers who were prisoners of war were killed in the Katyn Forest near Smolensk." Both British and American representatives protested, but they finally concluded that, despite their personal disapproval, if the Soviet thought they could prove the charge they were entitled to do so under the division of the case.<sup>2</sup>

The indictment was brought to Berlin for final settlement and filing, where I objected to inclusion of the charge and even more strongly when, at the last moment, the Soviet delayed its filing by amending the Katyn charge to include 11,000 instead of 925 victims. However it was in the Soviet part of the case and they had investigated Katyn; we had no opportunity to do so. In view of what we know of the over-all Nazi plan to exterminate inhabitants of Poland, it did not seem unlikely that this was part of their program, and the Soviet claimed to have adequate evidence of Nazi guilt. While we did not feel justified in preventing the issue, we warned the Soviet delegation that we did not have evidence to support the charge nor time or opportunity to investigate it and that, if it met with denial or countercharges, we would keep hands off and leave the entire contest to the Soviet and German lawyers.

The reasons for opposing inclusion of this charge and refusal to participate in its trial were that to litigate that issue would conflict in several respects with what I considered to be sound trial policy for the first such case in history. It was not based upon any conviction in my own mind about the truth or falsity of the charge. I knew that the Nazis and the Soviets accused each other, that both were capable of the offense, that perhaps both had opportunity to commit it, and that it was perfectly consistent with the policy of each toward Poland. Whatever the facts were they had become overlaid with deep layers of Nazi and Soviet propaganda and counterpropaganda, and it seemed we could not at the international trial wisely undertake or satisfactorily achieve the long task of separating truth from falsehood. The chief reasons in support of that conclusion are four:

First, responsibility for the massacre did not appear to be capable of documentary proof or substantial corroboration. One of the basic decisions on policy concerning the Nürnberg international trial was that we should accuse only defendants whose guilt could be established and should charge only offenses whose occurrence could be fully proved or substantially corroborated by documentary evidence captured from the Germans themselves. Because this was the first international criminal trial in history and was held in the wake of war when passions were high, we did not want any judgment that would rest solely on oral testimony of witnesses whose interest, bias, memory and truthfulness would always be open to question. This required us to pass over many tempting matters because evidence measuring up to this standard was not then obtainable. However, that policy was so far observed that the Tribunal, in its Judgment, said: "The case, therefore, against the defendants rests in a large measure in documents of their own making, the authenticity of which has not been challenged except in one or two cases."<sup>3</sup>

Second, if we were ever to depart from the policy of presenting documentary evidence, this atrocity was not a suitable instance because we knew of no witnesses who could supply oral proof to establish the identity of the perpetrators that would meet the high standards of credibility required in a criminal trial. Neither the American nor, as far as I have reason to believe, the British prosecutors knew of such witnesses.

<sup>2</sup> These negotiations are published in Alderman (and others), *Negotiating With the Russians* (World Peace Foundation, 1951), 49-98.

<sup>3</sup> N. C. & A., Opinion and Judgment 3.



It was plain that we could not get such evidence from Polish sources. Attitudes of Polish authorities at that time were conflicting, which confirmed my opinion that we should not participate in the trial of the Nazi-Soviet dispute. The Polish Government then in power at Warsaw kept a delegation at Nürnberg which cooperated closely with the Soviet in all matters, including, as I understood it, accusing the Nazis of the Katyn murders.

The Polish Government in Exile in London, on the contrary, was accusing the Soviet. On February 15, 1946, eleven Senators and ten Deputies of the Polish Parliamentary Group in London filed with me a letter and statement reciting evidence on which they pointed to Russian guilt, concluding with this statement:

"In view of these facts and circumstances the undersigned would like to express the opinion that it would be ill-advised to include the Katyn case in the tasks of the Nuremberg tribunal. This case is of a special character, and needs, in order to be fully elucidated, to be examined apart and treated independently by an international judicial body."<sup>4</sup>

It also characterizes the Polish attitude at that time that General Anders, while believing in Soviet guilt, refused the request of Goering's lawyer to help him prove it—a quite understandable attitude in view of what Poland had suffered at the hands of those who would benefit from his testimony. He said, however, that he would be willing to give his information to the Tribunal "at their express written and official request." He did not know, nor do I, whether the Tribunal was ever so advised. Certainly I was not. Only three years after the trial, when General Anders published his book and thoughtfully sent me a copy, did I learn these facts.<sup>5</sup>

On January 21, 1946, General Clay transmitted for my "strictly confidential information from the Embassy at Warsaw" word that the Germans were not, in the opinion of the Polish circles with which the American Embassy was in contact, responsible for the Katyn deaths. There was no suggestion that this opinion was supported by legal evidence. Apparently it was not, for Mr. Lane, then American Ambassador at Warsaw, 2 years later published the information then known to him pointing to Soviet guilt, but even then said, "The identity of the perpetrators of the outrageous massacre of Katyn, contrary to all laws of war and humanity, has never been definitely established. Perhaps it never will be."<sup>6</sup>

We did not learn of any usable evidence in American possession. Military intelligence, on February 26, 1946, delivered to a member of my staff then in Washington several documents, classified "Secret," including the German report accusing the Soviet, two Soviet documents accusing the Nazis and a paper labeled "Excerpts of conversations between Sikorski, Anders, Stalin, and Molotov." The conversations referred to are substantially those published by Jan Ciechanowski, Polish Ambassador to the United States, in 1947.<sup>7</sup> None of these were in condition to be useful as evidence. I knew nothing at any time during the trial, of Colonel Van Vliet, Colonel Stewart, or Colonel Siemansky. We heard nothing of any of the witnesses since claimed to have personal knowledge of the crimes.

Third, we did not need to prove Nazi responsibility for the Katyn murder in order to establish that the Nazi regime and individual defendants were guilty of a conspiracy and a program to exterminate vast numbers of Poles. Poland had been the scene and the Polish people had been the victims of many unbelievable barbarities which put to death much larger numbers of persons than the Katyn murders. To make sure that the grievances of the Polish people, as well as other Eastern peoples, were proved and proved beyond doubt, we did not leave the matter wholly to the Soviet but, as a part of the American case, proved by captured documents or by admissions of captive German officials the over-all Nazi extermination program embracing many atrocities in Poland and affecting the Polish people, as well as others in East Europe. Examples will indicate what I mean:

<sup>4</sup> I am filing a photostatic copy of this communication with the Committee.

<sup>5</sup> Anders, *An Army in Exile* (1949), 82, 140, 295.

<sup>6</sup> Lane, *I Saw Poland Betrayed* (1948), 36-39.

<sup>7</sup> Ciechanowski, *Defeat in Victory* (1947), 66-69.

We had the diary of Hans Frank, the Nazi Governor-General of Poland, acknowledged by him to be authentic, saying, "We must annihilate the Jews wherever we find them and wherever it is possible. \* \* \*" In August 1942, he wrote of Nazi manipulation of hunger rations in Poland: "That we sentence 1,200,000 Jews to die of hunger should be noted only marginally. It is a matter, of course, that should the Jews not starve to death it would, we hope, result in the speeding up of the anti-Jewish measures."<sup>9</sup>

We had written evidence of specific extermination measures, such as the 75-page leather-bound official report by Major-General Stroop which recited the killing of men, women and children of the Warsaw ghetto to the exact number of 56,065 and set out the day-to-day measures, including shooting, fire, explosion and chemical extermination in the sewers, where the victims had taken refuge, accompanied by photographs to prove the operation's efficiency.<sup>10</sup>

We had the report by SS Brigade-Fuehrer Stahlecker to Himmler, dated October 1941, of the execution of 135,567 persons in the Lithuanian area.<sup>11</sup>

We had a top-secret report, dated May 16, 1942, of the ghastly details of the operations in the East of *gaswagons* for killing undesirables.<sup>12</sup>

We also had German protests, official but not very high-minded, against such exterminations—in one instance of 150,000 to 200,000 Jews<sup>13</sup> and in another instance of 5,000 Jews<sup>14</sup>—because it was complained they should have been spared for use as forced labor.

Some of the documents, intended to conceal crime, unconsciously dramatized it. For example, a deathbook of the Mauthausen concentration camp recorded 35,317 deaths. During a sample period 203 persons died of the same ailment—"heart trouble"—died at brief and regular intervals, and more astonishingly, died in alphabetical order. Death first came to Ackermann, at 1:15 a. m., and reached Zynger at 2 p. m.<sup>15</sup>

Oral testimony and affidavits were available from captured German officials. One told of the official Gestapo estimate that the Nazi extermination program had done away with four million persons in concentration camps and that two million additional were killed by the Secret Police in the East.<sup>16</sup>

Another Nazi, General Ohlendorf, testified willingly, even boastfully, that he supervised execution of over 90,000 men, women and children in the Eastern area.<sup>17</sup> The witness Hoess, in charge of Auschwitz extermination center, swore that under his regime it exterminated three million human beings.<sup>18</sup> This was by far the largest and most atrocious of the atrocities committed against the Polish people.

Nor did we rest upon the documents which the fortunes of war had placed in our hands when documents were procurable from other sources. An example was the Nazi persecution of the Church and clergy, particularly vicious in Poland, which the Nazis had not documented with the candor and thoroughness that they did persecution of the Jews. It is doubtful whether, even if time were available to us, we could have gathered evidence of the Church persecution in Poland, since any probable witnesses were in the area under Soviet control where Americans even then were rarely admitted, and we may doubt the zeal of the Soviets to obtain proof on that subject. However, I sought an audience with Pope Pius and obtained from His Holiness the Vatican documents in which detailed evidentiary material was already collected and which supported the charge of religious persecution.<sup>19</sup>

As to the Katyn massacres, we knew of no source to which we could turn for such documentation. Extermination of these intelligent and patriotic Poles who might become the leadership of the restoration of Poland was provable by docu-

<sup>9</sup> Doc. No. 2233-D-PS (USA exhibit 281), Entry of Dec. 16, 1941, pp. 76-77. 4 N. C. & A. 891.

<sup>10</sup> Doc. No. 2233-E-PS (USA 283), Entry of Aug. 24, 1942. 4 N. C. & A. 893.

<sup>11</sup> Doc. No. 1061-PS (USA 275), 3 N. C. & A. 718.

<sup>12</sup> Doc. No. L-180 (USA 276), 7 N. C. & A. 978.

<sup>13</sup> Doc. No. 501-PS (USA 288), 3 N. C. & A. 418.

<sup>14</sup> Doc. No. 3257-PS (USA 290), 5 N. C. & A. 994.

<sup>15</sup> Doc. No. R-135 (USA 289), 8 N. C. & A. 205.

<sup>16</sup> 1 N. C. & A. 967.

<sup>17</sup> Doc. No. 2738-PS (USA 296), 5 N. C. & A. 380.

<sup>18</sup> 4 Proceedings 311-354.

<sup>19</sup> Doc. No. 3868-PS (USA 819), 6 N. C. & A. 787.

<sup>20</sup> These documents, numbered from 3261-PS to 3269-PS, inclusive, are published in 5 N. C. & A., pp. 1009 to 1046, inclusive.

ment to be consistent with the Nazi policy toward Poland. Yet, while they had boasted on paper of the worst crimes known to man, we found but one Nazi document that even hinted at Nazi responsibility for the Katyn massacre, that being a telegram reporting that the Polish Red Cross had found that German-made ammunition was used in the killings.<sup>20</sup>

A fourth difficulty entered into our reluctance to undertake the Katyn murder charge as part of the Nürnberg trial. We were under exceedingly heavy pressure to get along with the trial. A persistent criticism in the American press during the trial was its long duration. Oral testimony from witnesses, subject to cross-examination by several counsel, of course takes much more time than documentary proof. Every word of testimony taken in the Nürnberg trial had to be forthwith interpreted into three other languages. Every examination or cross-examination had to include any proper questions desired by more than twenty lawyers representing defendants and four for the prosecution, and these were trained in five different legal systems—English, American, French, Russian, and German. Therefore, in the interests of expedition it was necessary to forego calling of witnesses so far as possible. You will best realize the extent to which we avoided relying on oral proof when I remind you that all four prosecutors at Nürnberg called only 33 witnesses to testify orally on the whole case against the twenty individual defendants, and these defendants, in addition to themselves, called only 61 witnesses. You have already, according to your interim report, orally examined 81 witnesses on this one atrocity.

Notwithstanding these considerations, the Soviet prosecutor, on February 14, 1946, opened the subject by presenting to the Tribunal a report by a Soviet Extraordinary State Commission of its investigation of the Katyn crime.<sup>21</sup> It recited testimony, including a good deal of hearsay and medical data, as to the condition of the exhumed bodies. On this, experts based opinions that the executions took place during the period of German occupation and therefore that the Germans were responsible. Dr. Stahmer, counsel for Goering, made a prompt request to call witnesses to contradict the Soviet report, which occasioned some disagreement between the Soviet prosecutors and those representing Great Britain and the United States. The Soviet lawyers took the view that, since the court took "judicial notice" of the report of the Extraordinary Commission as a state document, it could not be contradicted. Under Soviet law it probably could not but would be entitled to faith and credit—as a judgment, statute, or public act would be here. Nevertheless, we thought that its nature was such that it was clearly open to contradiction. Then the Soviet lawyers proposed, if the subject were opened, to call ten witnesses.<sup>22</sup> The Tribunal, however, ruled that it would "limit the whole of the evidence to three witnesses on either side, because the matter is only subsidiary allegation of fact."<sup>23</sup>

Testimony of three witnesses for each was heard on the 1st and 2d days of July 1946. What it was is a matter of record, and what it is worth is a matter of opinion.<sup>24</sup> At the conclusion, neither side was satisfied with its own showing

<sup>20</sup> Telegram addressed to the "Government of the Government General, care of First Administrative Counsellor Weirauch in Kraków." It is marked "Urgent, to be delivered at once, secret":

"Part of the Polish Red Cross returned yesterday from Katyn. The employees of the Polish Red Cross have brought with them the cartridge cases which were used in shooting the victims of Katyn. It appears that these are German munitions. The caliber is 7.65. They are from the firm Geco. Letter follows." Signed "Heinrich." Doc. No. 402-PS. 17 Proceedings 365.

So far as I know, the letter referred to was never found, but the prosecution staff screened approximately 100,000 captured German documents, of which only 5,000 were selected for full translation for use at the trial. It is impossible, therefore, to say that such a letter is not in existence.

<sup>21</sup> It is USSR Doc. #54.

<sup>22</sup> March 8, 1946, 9 Proceedings 3; May 11, 1946, 13 Proceedings 431; June 3, 1946, 15 Proceedings 289-293.

<sup>23</sup> 17 Proceedings 273.

<sup>24</sup> The verbatim testimony in English translation is found in 17 Proceedings 275 *et seq.* A summary of the evidence will show its inconclusive character. It must be remembered that the Smolensk area, including Katyn Wood, fell to the Germans on or about July 17, 1941. If the Polish prisoners had been executed before that, the Soviet must have been responsible; if they were then alive and captured by the Germans, the Germans must have been responsible.

The German defendants led with the witness Ahrens, Commanding Officer of the Signal Regiment charged with guilt in the Soviet report. He denied that his regiment had captured any Polish prisoners from the Russians, denied there was any order to shoot Polish prisoners, or that any were shot. He testified to exhuming the bodies in 1942. The weakness of his testimony was that he did not arrive in the Smolensk territory until about the second half of November 1941, while the Soviet claimed the executions had been considerably earlier, and the commander he succeeded was not called.

The second witness was Eichborn, who also did not arrive on the scene until September 20, 1941. He denied that there were Polish prisoners taken or shot and said he would have

and both asked to call additional witnesses. The Soviet, especially, complained that they had been allowed to call only three of the 120 witnesses that appeared before the Soviet Commission. The Tribunal, wisely I think, refused to hear more of the subject.<sup>25</sup>

The Soviet prosecutor appears to have abandoned the charge. The Tribunal did not convict the German defendants of the Katyn massacre. Neither did it expressly exonerate them, as the Judgment made no reference to the Katyn incident. The Soviet judge dissented in some matters but did not mention Katyn.<sup>26</sup>

This history will show that, if it is now deemed possible to establish responsibility for the Katyn murders, nothing that was decided by the Nürnberg Tribunal or contended for by the American prosecution will stand in the way.

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EXHIBIT 7—LETTER FROM THE POLISH GOVERNMENT IN EXILE IN LONDON TO JUSTICE JACKSON

POLISH PARLIAMENTARY GROUP

74, Cornwall Gardens, London, SW. 7

LONDON, February 15, 1946.

Mr. Justice ROBERT J. JACKSON,  
*Chief American Prosecutor, Nuremberg.*

SIR: We have the honour to submit to your attention the enclosed copy of a letter addressed by us to the members of the Parliaments of all democratic Nations throughout the world.

We are, Sir,

Yours faithfully,

On behalf of the Polish Parliamentary Group,

A. ZALEWSKI.  
J. GODLEWSKI.

Annexe.

known about it if either had occurred. His testimony was attacked by U. S. S. R. Document No. 3, dated Berlin, October 29, 1941, issued by the chief of the Security Police in relation to prisoners of war in the rear of the army, which set up task force groups under the leadership of an SS leader. These irregular groups, not a part of the army, were the usual execution teams. This witness told of an order to shoot certain prisoners of war which, he said, Field Marshal von Kleuge refused to carry out because of regard for the discipline of his troops.

The third witness was Gen. Oberhauser, in command of the area, who did not reach there until September of 1941. He denied that there were Polish prisoners taken or shot and denied that the regiment had weapons with which they could have been shot. This closed the German case without accounting for the period from the fall of Smolensk in the middle of July to the beginning of September and with an admission that an execution squad followed the army into that area.

The Russians took over and called the Deputy Mayor of Smolensk during the German occupation, a professor at the University who served under a German Mayor. He testified that there were Polish prisoners of war in the vicinity of Smolensk when the city fell to the Germans, that he had a conference with the German Mayor in which he was informed that a very severe regime should prevail with respect to prisoners of war, and that Polish ones were to be exterminated, but that it should be kept a secret, and thereafter the Mayor told him that the Polish prisoners of war had all died. On cross-examination it was brought out against his credibility that he was not punished by the Russians for his admitted collaboration with the Germans, and not only remained at liberty but was a professor at two Universities under Russian control.

They followed with a witness Markov, a Bulgarian doctor who had been a member of the commission set up by the Germans to investigate the Polish massacre and which charged responsibility to the Soviet. Markov gave details indicating an extremely superficial examination of the graves and testified that he did not agree with the report but signed it under German compulsion. Cross-examination brought out the weakness of his testimony in that he was under the control of the Russians at the time of trial.

The last witness was Prossorovski, a medical legal expert of the Soviet Union. His testimony was entirely of the Russian examination of the graves, and his conclusions that the date of the execution as evidenced by the condition of the bodies must have been during the German occupation. During his examination, an American-captured document, No. 402-PS, Exhibit U. S. S. R. 507, was read into the case, being a telegram from Heinrich stating that the employees of the Polish Red Cross had found cartridge cases used in shooting the victims of Katyn from which it appeared that these were German munitions of caliber 7.65. The testimony was that all of the deaths had been caused by bullet wounds of 7.65 caliber.

Dr. Naville, one of your Committee witnesses, was allowed to defendant Goering, provided he could be located. He was found in Switzerland, but he "informed the Tribunal that he sees no use in his coming here as a witness for Goering. \* \* \* 10 Proceedings 648.

<sup>25</sup> 17 Proceedings 371.

<sup>26</sup> N. C. & A., Opinion and Judgment 166.

AN APPEAL TO MEMBERS OF THE PARLIAMENTS OF ALL THE NATIONS FROM THE  
FORMER DEPUTIES AND SENATORS OF THE POLISH PARLIAMENT

74 CORNWALL GARDENS,  
London, SW. 7, February 1946.

*To the Members of the Free Nations Parliaments.*

DEAR SIRs: The German war criminals at present on trial at Nuremberg are charged with the murder of about 11,000 Polish officers in the wood of Katyn near Smolensk. In connection with this case the undersigned, former Senators and Deputies in Parliaments of the Polish Republic, beg to point out certain events and to make a number of remarks.

On September 17th 1939 Soviet Forces suddenly and unexpectedly invaded Poland and attacked the Polish armies in the rear while these armies were in a most difficult position, struggling against the Germans, overwhelmingly superior in number and in material. In doing so, the Soviet broke the Pact of Non-Aggression and other agreements, freely accepted by them and still in force as between the USSR and Poland such as the Peace Treaty of Riga signed on March 18th 1921, The Kellogg Pact, The Moscow Protocol renouncing war as an instrument of national policy, signed on February 9th 1929, by Estonia, Latvia, Poland, Rumania and the USSR, the Convention on the definition of the Aggressor signed on July 3rd 1933, the Moscow Protocol of May 5th 1934, on the Prolongation of the Non-Aggression Pact till December 31st, 1945. These agreements have been confirmed twice over, by an exchange of notes, on September 10th 1934, and by a common communique of November 26th 1938, and finally the Pact of the League of Nations was also binding in the USSR.

As a result of the Soviet attack, Polish resistance collapsed and a great number of soldiers of the Polish army fell into Soviet hands. The Soviet authorities grouped the Polish officers in separate camps, the largest of which were those of Starobielsk, Kozielsk, and Ostaszew. At the beginning of 1940 the camp authorities informed the interned officers that these camps would be broken up and that the prisoners of war would return to their families in Poland. The prisoners were again registered in great detail. From April to the middle of May 1940 the Soviet authorities removed the officers from the camps in groups numbering from 60 to 300 and transported them in unknown directions. At the same time the prisoners correspondence with their families in Poland came to an end. Whereas in the preceding months letters from them were received fairly regularly, after that date they ceased to give any sign of life and they were heard of no more.

After the conclusion of the Polish-Soviet agreement of July 30th, 1941, and of the Polish-Soviet military convention of August 14th of the same year, when the formation of the Polish army was undertaken in the USSR, out of the total of 15,000 officers taken prisoner by the Soviet, only 2,500 reported themselves to the Polish recruiting centres. Of these, only 400 had been inmates of the camp of Kozielsk. The absence of the remainder, known to have been removed to undetermined destinations, produced understandable anxiety among their countrymen. The Minister of Foreign Affairs, the Polish Ambassador in Kuybyshev, and the general commanding the Polish Army in the USSR, addressed themselves to the Soviet authorities asking to be informed of the whereabouts of these missing officers. The Soviet Government in the persons of the People's Commissar for Foreign Affairs, Mr. Molotov, and his deputy, Mr. Vishinsky, answered repeatedly that these officers had been released and should have reported themselves to the different Polish military units. On December 3rd, 1941, in a conversation with Marshal Stalin at the Kremlin, General Sikorski raised the same question and presented a list of 3,845 missing officers whose names had been ascertained by the Polish authorities. Marshal Stalin repeated the explanation given by Mr. Molotov and Mr. Vishinsky and assured General Sikorski anew that these officers had been released long since. In spite of these declarations of the highest Soviet authorities not one of the missing officers ever made his appearance and all investigations remained fruitless.

In April 1943 the Germans published the news that in the wood of Katyn near Smolensk mass graves had been discovered containing the bodies of about 12,000 Polish officers. About 3,000 of them were identified and it followed from the checking of lists that they were prisoners from the camp at Kozielsk. As is well known, the German authorities did not hesitate to accuse the Soviet Government of their murder.

When the German armies in their retreat from Russia had evacuated the district of Smolensk, the Soviet authorities formed a commission called upon to deal with the Katyn case. This commission drew up an official report which was published by the Soviet Government.

According to this report two witnesses, the Soviet camp commander, Major Vietoshnikov, of the N. K. V. D., and the engineer in control of traffic in the Smolensk sector of Western railway lines, S. Ivanov, testified that the Polish officers detained in the P. o. W. camps had not been evacuated in the time and that the camp had been captured by the advancing German army. Other witnesses, Soviet citizens, gave evidence that the Germans murdered the Polish officers in Katyn wood and buried them there.

The region of Smolensk having been occupied by the Germans in July 1941, the question occurs why the Soviet Government did not inform the Polish authorities immediately after the resumption of Polish-Soviet relations, in the summer of 1941, that many Polish officers, who were prisoners of war, had fallen into German hands. On the contrary, the Soviet Government answered all inquiries on this point over and over again, even as late as March 1942, with the assurance that these prisoners of war had been released, in accordance with the concluded agreement and should have reported themselves to the Polish military units.

These circumstances show that the fate of the Polish officers in the Russian P.o.W. camps has not yet been fully elucidated.

The crime perpetrated upon them at Katyn, contrary to every feeling of humanity and violating international law and custom, does not only concern the families of the victims. The entire Polish nation is entitled to demand that this tragedy be cleared up.

In view of these facts and circumstances the undersigned would like to express the opinion that it would be ill-advised to include the Katyn case in the tasks of the Nuremberg tribunal. This case is of a special character, and needs, in order to be fully elucidated, to be examined apart and treated independently by an international judicial body.

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 Prof. Wladyslaw Wielhorski, 5, White Hall Gardens, W.3.  
 Witold Zyborski, "Featherstones", 11, Fairlawn Road, Lytham, Lancs.

#### AFTER RECESS

Chairman MADDEN. The committee will come to order.

The first witness will be Mr. Elmer Davis. Will you take the stand, Mr. Davis, and be sworn?

Do you solemnly swear that the testimony you will give in the hearing before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DAVIS. I do.

**TESTIMONY OF ELMER DAVIS, NEWS BROADCASTER AND COMMENTATOR, AMERICAN BROADCASTING CO., WASHINGTON, D. C.**

Chairman MADDEN. Mr. Davis, will you state your full name, please?

Mr. DAVIS. Elmer Davis.

Chairman MADDEN. And your address?

Mr. DAVIS. 1661 Crescent Place, Washington 9, D. C.

Chairman MADDEN. And your business?

Mr. DAVIS. News broadcaster and commentator for the American Broadcasting Co.

Chairman MADDEN. All right, Mr. Mitchell, you may proceed.

Mr. MITCHELL. Mr. Chairman, for the purpose of this hearing I would like to have now read into the record by Mr. Pucinski, the testimony taken by the congressional committee investigating the Federal Communications Commission. This is the testimony of Mr. Joseph Lang, which was taken on August 5 in New York City.

Mr. Pucinski, will you proceed, please?

Mr. PUCINSKI. Yes. I am reading from page 387 of volume 991 of the House committee hearings. This volume is from the Senate library.

The testimony is by Mr. Joseph Lang.

Mr. MACHROWICZ. What committee and what date?

Mr. PUCINSKI. This testimony was taken during a study and investigation of the Federal Communications Commission on Thursday, August 5, 1943. The hearings were in New York City.

Now, this is the testimony of Mr. Joseph Lang, general manager of radio station WHOM, New York, N. Y.

The question being propounded to Mr. Lang is by Mr. Garey, who was the committee counsel for this committee, which was headed by Congressman Cox.

Mr. Garey said:

Mr. Lang, did you ever have a meeting with Mrs. Shea, at which the question of the policy that should be adopted toward Russia was discussed?

Mr. LANG. I had a meeting with Mrs. Shea and Alan Cranston in my office.

Mr. GAREY. We know who Mrs. Shea is, but I don't think this record shows who Alan Cranston is. Will you tell us who Alan Cranston is?

Mr. LANG. Alan Cranston is head of the Foreign Language Division of the Office of War Information.

Mr. GAREY. And about when did this conversation take place?

Mr. LANG. I believe it was around the middle of May 1943.

Mr. GAREY. And how did the meeting come about?

Mr. LANG. Mr. Cranston called me, I believe it was on a Monday, and asked if he could meet with Mr. Simon and me regarding what he described as the Polish situation. He asked if he could meet with us on the following Wednesday.

Mr. GAREY. Where did the meeting take place?

Mr. LANG. At my office.

Mr. GAREY. Who was present at the meeting?

Mr. LANG. Mr. Cranston, Mrs. Shea, Mr. Arthur Simon, myself, and I believe Mr. Fred Call, who handled public relations for the foreign-language radio wartime control. This was a meeting not with us as individual station owners but representing the foreign-language radio wartime control.

Mr. GAREY. And Mr. Arthur Simon is manager of the Bulova station in Philadelphia, designed by the call letters WPEN?

Mr. LANG. Yes.

Mr. GAREY. And he was chairman of that foreign-language radio wartime control committee?

Mr. LANG. He was.

Mr. GAREY. Will you tell us what was said at that meeting, and by whom?

Mr. LANG. Both Mr. Cranston and Mrs. Shea were concerned with the situation that had been developing between Russia and Poland in regard to the



matter of boundaries, and the fact that Poland, I believe, through its Premier, its Government in exile in London, had protested to Russia about the slaying of these 10,000 Polish officers in Russia. And they were concerned as to how the situation would be handled on different radio stations.

Mr. GAREY. What did Mr. Cranston want you to do?

Mr. LANG. He asked us—when I say “us” I mean the foreign-language radio wartime control—if we could straighten out the situation in Detroit.

Mr. GAREY. What situation obtained there?

Mr. LANG. From what I could gather, it seemed that on the Polish programs out there the Polish news commentators had taken a rather antagonistic attitude toward Russia in this matter, and they felt that it was inimical to the war effort and should be straightened out in some way.

Mr. GAREY. And they wanted to know what you could do about getting the program content on those Detroit stations to conform to their views on what should be put over the air in the United States about the Russian situation? That is the sum and substance of what Cranston was trying to get you to do?

Mr. LANG. I don't know that it was expressed that way. That was the thought.

Mr. GAREY. Is your answer to my question in the affirmative?

Mr. LANG. Yes.

Mr. GAREY. Was the Office of Censorship represented at this meeting?

Mr. LANG. No; it was not.

Mr. GAREY. They had been invited to attend, but had refused to attend, had they not?

Mr. LANG. I don't know that, sir.

Mr. GAREY. They had failed to attend?

Mr. LANG. They were not present.

Mr. GAREY. What did Mrs. Shea want you to do?

Mr. LANG. The same thing. They both expressed the same thoughts.

Mr. GAREY. They wanted the gag put on any criticism of Russia, insofar as criticizing Russia's ambitions to establish a new Polish Frontier in the postwar days was concerned?

Mr. LANG. That seemed to be the gist of the talk.

Mr. GAREY. And didn't they also want the gag put on any news concerning the alleged killing of the 10,000 Polish Officers by the Russians in Russia?

Mr. LANG. That was not expressed. The thought was that if commentators were to be permitted to express their own views, there was no limit to what they could say. I suggested that if the situation were handled as I handled it on my station, whereby commentators, both on Russian and Polish programs were permitted to broadcast only the news as it came off the teletype, that would solve the situation, because it would mean that only news from the news services would be broadcast, and not anyone's views.

Mr. GAREY. What was the result of the meeting?

Mr. LANG. Mr. Simon and I said we would get in touch with our committee member in Detroit and talk to him and see if we could get the matter straightened out.

Mr. GAREY. And did you?

Mr. LANG. We did. We called Mr. James Hopkins.

Mr. GAREY. Of what station?

Mr. LANG. WGBK, in Detroit. And we spoke to him along these lines, suggesting that his station, as well as two other stations, the call letters of which I don't recollect, stick strictly to their authenticated news service, and not permit any individual to express his individual views.

Mr. GAREY. What Hilde Shea and Cranston were doing, they were engaging in the censorship of program content; weren't they?

Mr. LANG. I think you might put it that way. I would say “Yes.”

Mr. GAREY. Certainly. And the Communications Act of 1944 expressly forbids the Federal Communications Commission to censor program content; doesn't it?

Mr. LANG. It does.

Mr. GAREY. And the Office of War Information had no jurisdiction in the matter whatever; did it?

Mr. LANG. That is right.

Mr. MITCHELL. Mr. Davis, at that time I believe you were head of the OWI. Could you tell the committee when you took over the chairmanship of the OWI?

Mr. DAVIS. The 13th of June 1942.

Mr. MITCHELL. Who was your predecessor in office?

Mr. DAVIS. We had none. We were a combination of four preceding agencies.

Mr. MITCHELL. Will you explain to the committee how the OWI was formed, if you please?

Mr. DAVIS. It was put together by a combination of what was then the Foreign Information Service of the Coordinator of Information under General Donovan, an organization which had previously been combined with what later became the OSS, the Office of Facts and Figures, under Archibald MacLeish, the Division of Information of the Office of Emergency Management, under Bob Lorton, and the Office of Government Reports under Lowell Mott. They were all brought in together into a new organization.

As I have said elsewhere, I felt like a man, at times, who had married a four-time widow and was trying to raise her children by all of her previous marriages.

Mr. MITCHELL. Sir, where and to whom did you report as the head of OWI? What was the chain of command?

Mr. DAVIS. President Roosevelt. If I may amplify, Mr. Counsel, we reported only to the President for all operations. But on matters of foreign policy we had to consult the State Department and conform to their views.

Mr. MITCHELL. Could you explain to the committee how the liaison was conducted between these various other Government agencies, which affected the war effort.

Mr. DAVIS. We had various people assigned to contact each of the Government departments, and quite a number of people would consult different officials in the State Department on different issues to see what the Government policy was. With respect to major issues, occasionally I had to take them up with the President. But he was pretty busy, and I didn't bother him more than I had to.

Mr. MITCHELL. Was there any kind of a Board or Commission established for policy guidance for OWI?

Mr. DAVIS. Well, there was theoretically such a Commission, and I was directed to perform my duties after consulting it. It was set up with appointees by the other departments, in such shape that it seemed to me that its purpose was to keep us from ever doing anything much. So, after two consultations with them in the first month that I held office, I performed my duties according to the Executive order. They never met again.

Mr. MITCHELL. Then could you explain to the committee how policy respecting the OWI was accomplished? How did you get your directives of advice and consultation?

Mr. DAVIS. Well, on foreign policy matters, as I say, we consulted the State Department. On specific issues it was usually done by somebody from our overseas branch calling up somebody in the State Department who was concerned with that particular division. I had frequent consultations with Mr. Hull and Mr. Welles, myself, on general policies.

Mr. MITCHELL. Was this on over-all policy, your consultations?

Mr. DAVIS. On the way we should handle certain matters in foreign propaganda, so that we would conform to the foreign policy of the United States.

Mr. MITCHELL. Then liaison was otherwise from desk to desk?

Mr. DAVIS. We had people who were especially associated with each of the other departments, but with most of them our problem was to see that the news they handed out was as fresh as possible and as accurate as possible, and that there were not too violent conflicts between the departments and what they said.

Mr. MITCHELL. And the two individuals that you consulted for over-all policy were Mr. Hull and Mr. Welles?

Mr. DAVIS. On foreign policy only.

Mr. MITCHELL. On foreign policy only?

Mr. DAVIS. Yes.

Mr. MITCHELL. Now, could you tell the committee the exact purpose or function of OWI?

Mr. DAVIS. Well, it is all set forth in greater length and detail in the Executive order, than I can now remember.

Mr. MITCHELL. Briefly.

Mr. DAVIS. Its object was to tell the news as fully and as accurately as we could to the people of the United States, a function in which we were very much limited by the fact that we were only coordinators of the news issued by the other departments, and also to inform foreign nations, both hostile, friendly and neutral, about the policies and business of the United States.

Mr. MITCHELL. Where did you get the news coming in from overseas? What agencies furnished that to the OWI?

Mr. DAVIS. We had a division called the Foreign News Bureau, which obtained the reports of the Federal Broadcast Information Service of all of the enemy broadcasts, and all broadcasts, to be sure, but primarily the enemy broadcasts, which they would take and analyze principally for the purpose of pointing out where the enemy was telling a different story to one part of the world than to another. They issued their reports on those broadcasts, and they were made available to the press. That was the only news we obtained from overseas.

Mr. MITCHELL. Was your organization broken up in such a way as to have individuals responsible country by country or area by area?

Mr. DAVIS. In our propaganda to those countries, yes. The information that we obtained from abroad, as I say, was only through this one channel, the Foreign Broadcast Information Service, and was analyzed by our own people and put out for availability to the press here.

Mr. MITCHELL. The subject matter being investigated by this committee concerns Katyn and Poland. Can you tell the committee who was in charge of that operation in your Department?

Mr. DAVIS. Well, I don't know what you mean by "that operation."

Mr. MITCHELL. The overseas broadcasts.

Mr. DAVIS. Well, that would be under the general direction of Robert Sherwood, who was then the head of the Overseas Branch. As to the people who were underneath him, there were quite a number of them.

The policy was supposed to be laid down in Washington and followed by our operating staffs in various points around the world—New York, San Francisco, the Southwest Pacific, London, Algiers, and so on—although in Algiers and in the Southwest Pacific, of course, we were under military direction.

Mr. MITCHELL. Did you have as part of your organization a desk or an individual who was responsible for reporting to the American people, country by country?

Mr. DAVIS. No.

Mr. MITCHELL. Responsible for reporting the news that came in?

Mr. DAVIS. No; we did not.

Mr. MITCHELL. You didn't have an area desk?

Mr. DAVIS. Not for reports to the American people. We had area desks for propaganda overseas. But normally, we did not produce much news for the American people. The great volume of news printed in the American press and used on the radio at that time came from the news services and special correspondents in foreign countries.

Mr. MITCHELL. Then how can you explain what was read into the record a few minutes ago about Mr. Cranston, who was a member of your staff, having this meeting in New York with members of the Foreign Language Radio Wartime Control?

Mr. DAVIS. Well, I can't recall that I have ever heard of that episode until it was read to me. But I should say that, in the first place, the declaration made by the counsel of that committee seems to have been contradicted by a statement of one of the broadcasters a little earlier, that it was indicated that the news analysts or commentators on those stations could handle the news the way they wanted to, but Mr. Cranston merely hoped that they would not handle it in such a way as to stir up antipathy between two of our allies.

Mr. MITCHELL. I cannot quite understand why Mr. Cranston's particular function fitted in with this capacity, since it was not the function of the OWI to handle news within the country.

Mr. DAVIS. Strictly speaking, he had no authority, and as I think that excerpt makes clear, he made no attempt to impose any authority. He merely suggested that as a matter of moving toward the winning of the war, they should try to avoid stirring up trouble between our allies.

Mr. MITCHELL. But that was the function of the Office of Censorship?

Mr. DAVIS. No. The Office of Censorship was supposed to tell them what they could not print or what they could not broadcast. We didn't attempt to do that, and I think that the excerpt read will indicate that Mr. Cranston didn't attempt to do that.

Mr. MITCHELL. Well, I can't understand why Cranston was engaged in that particular function of curtailing news within the United States. The job of the OWI was outside, was it not?

Mr. DAVIS. The job of the OWI was to provide Government news inside the United States, not news from abroad. This was a function which had been held over from one of our predecessor organizations in an attempt to reason with some of the foreign language broadcasting stations which at the beginning, immediately after Pearl Harbor, and long before OWI—one or two of them, still had some persons of rather fascistic tendencies on their staffs; and I believe that that work was started then to try to persuade them to present their broadcasts so as to contribute to the winning of the war. We went very much less far in that direction than did George Creel who, by the simple expedient of getting hold of the man who controlled all of the advertising for the foreign language press, managed to get the foreign language press to say about what Creel wanted it to say.

Mr. MITCHELL. What was George Creel's function at that time?

Mr. DAVIS. That was in the old war, it was substantially the same as the one I had then.

Mr. MITCHELL. But it had nothing to do with this one?

Mr. DAVIS. Oh, no. The previous one.

Mr. MITCHELL. I still can't understand why, under the charter of the OWI, any individual employed by the OWI would take it upon himself, or else by policy direction, or in some way, to contact anyone within the United States concerning broadcasts of news. Was it within the charter?

Mr. DAVIS. I should have to read the charter again to find out whether that authority may have lain there. As I say, I didn't know about this situation. But, as I think this testimony will indicate, Mr. Cranston was merely talking to them by way of suggesting that they try not to create too much disharmony among two of our allies. It really did not attempt to give any instructions, and he did not propose to tell them what to say. It is stated in there that the commentators could say anything they liked.

Mr. MITCHELL. Well, if I recall correctly, Poland was an ally at that time.

Mr. DAVIS. What is that?

Mr. MITCHELL. If I recall correctly, Poland was an ally at that time?

Mr. DAVIS. I said "between two of our allies."

Mr. MITCHELL. Well, I still can't understand why Cranston, in his capacity in the OWI, would in any way—that was a function of somebody else, wasn't it? Wasn't it? Was it a function of the OWI?

Mr. DAVIS. No; it certainly wasn't a function of anybody else that I can think of. I don't know whether it was properly a function of the OWI. As to why he did this, you had better ask Cranston. As I say, I didn't remember this episode.

Mr. MITCHELL. Thank you, sir. We will have Mr. Cranston.

Mr. Chairman, I would now like to have Mr. Pucinski read into the record a broadcast that Mr. Elmer Davis made on May 3, 1943.

Chairman MADDEN. How long is it?

Mr. DAVIS. It is 15 minutes, Mr. Chairman.

Mr. MITCHELL. This is only concerned with the Katyn affair.

Chairman MADDEN. All right.

Mr. PUCINSKI. Maybe we had better have Mr. Davis read it. It is his exact words, and he will probably like to refer to it while you are talking to him.

Mr. DAVIS. I appear to be quoting from myself on May 3, 1943. I may say, Mr. Chairman, that I don't believe I have seen the scripts of this broadcast since that date, but I have no doubt that it is correct (reading):

The Allied squeeze is on in Tunisia, and is going to be slow and hard. The enemy is fighting with great skill and stubbornness, and dispatches from the front report heavy casualties. This part of Tunisia will have to be taken hill by hill, and every hill means a hard struggle. The critical point of the line is the center, where the British First Army is pushing northeastward from Medjez el Bab. Here an advance of only a few kilometers will bring them into flat country much easier for tank operations. The Germans realize that danger; here their counterattacks are most persistent and vigorous. Nevertheless the enemy is fighting a losing fight. The Allied air forces and the British naval forces are knocking off ships and planes on which the Axis must depend for

supplies and reinforcements, and this with the steady pressure on the front will eventually break the enemy down.

The Pacific was quiet last week, but the Russians started an offensive on the southern end of their front across the straits from the Crimea. When the Germans retreated from the Caucasus they held on to some territory there which they might use as a springboard for another drive against the Caucasus from it. It seems doubtful if they can ever again put on a general offensive against Russia.

Mr. MITCHELL. Will you go down now to the part about Katyn?

Mr. DAVIS. I am reading it along as it comes, Mr. Counsel.

Mr. MITCHELL. Just a minute. Please start right there [indicating].

Mr. DAVIS (reading):

But while the German armies are finding it pretty tough going, the German propaganda won a striking success last week when it succeeded in bringing about a break in diplomatic relations between Russia and the Polish Government in exile. The way the Germans did this is a good example of the doctrine Hitler preached in *Mein Kampf*, that it is easier to make most people swallow a big lie than a little one. When the Germans had beaten Poland in September 1939, the Russians moved in and occupied eastern Poland, taking thousands of Polish troops prisoners. In June 1941, when the Germans attacked Russia, they overran all of this territory and have held it since. Now, almost 2 years later, they suddenly claim to have discovered near Smolensk the corpses of thousands of Polish officers, who, according to the Germans, were murdered by the Russians 3 years ago. In several respects, this story looks very fishy. At first the Germans were quite uncertain about the number of killed. At one time the Japanese and the Vichy French came up with a story of Rumanians murdered in Odessa, not Poles in Smolensk. First they said 10,000, then 2,000, and then 5,000, before finally deciding on 12,000. Rome and Berlin disagreed as to how they had been killed. The remains must have been better preserved than is usual after 3 years. The Russians were said to have tried hard to conceal the graves, yet they buried every man in uniform with his identification tag. Suggestions of an investigation by the International Red Cross mean nothing, for the Germans control the area. It would be easy for them to show the investigators corpses in uniform with identification tags. There is no way the investigators could determine whether these men were killed by Russians or by Germans, as they probably were.

I might say, Mr. Counsel, that after the lapse of 91½ years, I am convinced that they were killed by the Russians; but this was a statement made at the time, with the evidence then available.

The Germans are known to have slaughtered hundreds of thousands of Poles after the fighting was over. If they found a camp full of Polish prisoners, when they attacked Russia, it would have been the most natural thing in the world for them to murder them, too—if not at the moment, then later, when they needed the corpses for propaganda.

Remember that when the Germans invaded Poland, they told the world that they had found the graves of thousands of German civilians massacred by the Poles. Few people believed that story: It is all the more remarkable that any Poles who remember it should believe this one, especially as its motives are so obvious. The first motive is to distract the attention of the world from the mass murders which the Germans have been steadily committing in Poland for 3½ years—murders by now so numerous that they look like a deliberate attempt to exterminate the Polish people. Another purpose would be to arouse suspicion and distrust between Russia and the rest of the United States, which would help the Germans in two ways. Directly, it might hamper the prosecution of the war we are all fighting against Germany. Indirectly, it might help to prop up German morale at home. There is plenty of evidence among the German civilian population—yes, even among the Army—that there is less belief that they can ever win a decisive victory over all their enemies. But the German propaganda has persuaded many Germans that any day now America and Britain might call off the war, make a compromise peace, and leave Germany free to turn on Russia. And of course, more people will believe that if there is trouble between Russia and the other United Nations. Anything that creates division among the United Nations, concerns every one of those nations—the United States included—because we must hold together to win the war.

Mr. MITCHELL. I think that is enough, Mr. Davis. Thank you very much.

Mr. Chairman, I would now like to read a memorandum from the Department of State dated April 22, 1943, which was approximately 8 days previous to the broadcast that Mr. Davis has just put on the record.

In the upper left-hand corner of this memorandum is the stamp of the Assistant Secretary of State, dated April 22, 1943, being the stamp of Mr. Berle.

The first name from this memorandum has been deleted, in accordance with the agreement with the Department of State.

At the request of Mr. Berle, So-and-So called to ask whether he had any objection to Stockholm airgram No. so-and-so being given to the OWI, apparently for the purpose of using information contained therein regarding German atrocities against Jews in Poland in a propaganda campaign which OWI wishes to start in order to counteract the German propaganda story regarding the alleged execution of some 10,000 Polish officers by the Soviet authorities. It is felt that because of the extremely delicate nature of the question of the alleged execution of these Polish officers, and on the basis of the various conflicting contentions of all parties concerned, it would appear to be advisable to refrain from taking any definite stand in regard to this question. Although it is realized that the story emanates from German sources, and is being used by the German propaganda machine in an effort to divide the members of the United Nations, it should be borne in mind that whether the story is true or not, it is known that the Polish Government has, without success, for the past year and a half been endeavoring to ascertain from the Soviet Government the whereabouts of some 8,000 Polish officers who, on the best of available evidence, were captured by the Soviet forces in 1939.

In this connection, the Polish Government in the summer of 1942, specifically asked the American Ambassador to Moscow to intervene with the Soviet Government in an effort to cause the latter to release the 8,000 Polish officers, who were reportedly still being held by the Soviet authorities. According to the Polish officials here, the Soviet authorities have never released one of the officers on the list presented by the Polish Government. Furthermore, according to a telegram of April 20, 7 p. m., from Berne, it appears that the International Red Cross has agreed to send a delegation to Smolensk to investigate the German allegations. It would appear, therefore, that until further and more conclusive evidence is available, it would be inadvisable for OWI to take a definite stand in this regard.

Now, Mr. Davis, it is evident that the Department of State——

Chairman MADDEN. Pardon me. Did you want that introduced as an exhibit?

Mr. MITCHELL. Yes, sir.

Mr. DAVIS. Is that a memorandum to me?

Mr. MITCHELL. That is just a straight memorandum setting forth the State Department's policy at that time.

Chairman MADDEN. Identify it and mark it as an exhibit.

Mr. MITCHELL. Yes, sir.

This is a memorandum setting forth the policy of the Department of State, with respect to the massacre of the Polish officers in Katyn. It is an unsigned memorandum, the original of which is in the Department of State's files.

If you desire to see the original, sir, I will ask Mr. Ben Brown of the Department of State to produce that.

Mr. DAVIS. I trust you have had a certified copy made?

Mr. MITCHELL. This is a photostatic copy of it, sir.

Mr. DAVIS. All right.

Chairman MADDEN. Will you mark that as an exhibit and introduce it?



Mr. MITCHELL. This will be exhibit 8A, Washington, D. C.

Chairman MADDEN. Do you want to have the portion of Mr. Davis' broadcast marked as an exhibit and introduce it in evidence?

Mr. MITCHELL. Let us do it in reverse. We will mark this as 8 and this as 8A.

Chairman MADDEN. Exhibit 8 is Mr. Davis' broadcast and exhibit 8A is the State Department memorandum. Those documents will be accepted in evidence as exhibits 8 and 8A.

(Exhibits 8 and 8A were received and follow here:)

EXHIBIT 8—MR. ELMER DAVIS' RADIO BROADCAST OF MAY 3, 1943

[Enclosure No. 2 to despatch No. 1873 dated June 21, 1943, from the Legation at Stockholm. Submitted as Enclosure 2 to Department on Embassy Despatch 1008, June 9, 1952.]

AMERICAN LEGATION

Stockholm

COMMENTS FROM THE AMERICAN PRESS

No. 51 Vol. II.

May 3, 1943.

THE WEEKLY WAR SURVEY

In his weekly broadcast, the Director of the Office of War Information, Elmer Davis, spoke as follows:

"The Allied squeeze is on in Tunisia and is going to be slow and hard. The enemy is fighting with great skill and stubbornness, and dispatches from the front report heavy casualties. This part of Tunisia will have to be taken hill by hill, and every hill means a hard struggle. The critical point of the line is the center where the British First Army is pushing northeastward from Medjez El Bab; here an advance of only a few kilometers will bring them into flat country much easier for tank operations. The Germans realize that danger; here their counterattacks are most persistent and vigorous. Nevertheless the enemy is fighting a losing fight. The Allied air forces and the British naval forces are knocking off ships and planes on which the Axis must depend for supplies and reinforcements, and this with the steady pressure on the front will eventually break the enemy down.

"The Pacific was quiet last week, but the Russians started an offensive on the southern end of their front across the straits from the Crimea. When the Germans retreated from the Caucasus they held on to some territory there which they might use as a springboard for another drive against the Caucasus this summer. It seems doubtful if they can ever again put on a general offensive against Russia, but they may have enough force this summer for regional attacks, and the Caucasus with its oilfields is perhaps the most probable target. The present Russian attack seems aimed at breaking down that springboard before anybody can jump off from it.

"But while the German armies are finding it pretty tough going, the German propaganda won a striking success last week when it succeeded in bringing about a break in diplomatic relations between Russia and the Polish government in exile. The way the Germans did this is a good example of the doctrine Hitler preached in *Mein Kampf*, that it is easier to make most people swallow a big lie than a little one. When the Germans had beaten Poland in September 1939, the Russians moved in and occupied eastern Poland, taking thousands of Polish troops prisoners. In June 1941 when the Germans attacked Russia, they overran all this territory and have held it since. Now, almost two years later they suddenly claim to have discovered near Smolensk the corpses of thousands of Polish officers, who, according to the Germans, were murdered by the Russians three years ago. In several respects this story looks very fishy. At first the Germans were quite uncertain about the number of killed; at one time the Japanese and the Vichy French came up with a story of Rumanians murdered in Odessa, not Poles in Smolensk. First they said 10,000, then 2,000 and then 5,000, before finally deciding on 12,000. Rome and Berlin disagreed as to how they had been killed. The remains must have been better preserved than is usual after three years. The Russians were said to have tried hard to conceal the graves, yet they buried every man in uniform with his identification tag. Suggestions of an investigation by the International Red Cross mean nothing, for the Germans

control the area. It would be easy for them to show the investigators corpses in uniform with identification tags. There is no way the investigators could determine whether these men were killed by Russians, or by Germans as they probably were. The Germans are known to have slaughtered hundreds of thousands of Poles after the fighting was over. If they found a camp full of Polish prisoners when they attacked Russia, it would have been the most natural thing in the world for them to murder them, too, if not at the moment, then later when they needed the corpses for propaganda.

"Remember that when the Germans invaded Poland they told the world that they had found the graves of thousands of German civilians massacred by the Poles. Few people believed that story; it is all the more remarkable that any Poles who remember it should believe this one, especially as its motives are so obvious. The first motive is to distract the attention of the world from the mass murders which the Germans have been steadily committing in Poland for three and a half years—murders by now so numerous that they look like a deliberate attempt to exterminate the Polish people. Another purpose would be to arouse suspicion and distrust between Russia and the rest of the United Nations—which would help the Germans in two ways. Directly, it might hamper the prosecution of the war we are all fighting against Germany. Indirectly, it might help to prop up German morale at home. There is plenty of evidence among the German civilian population—yes, even among the army—that there is less belief that they can ever win a decisive victory over all their enemies. But German propaganda has persuaded many Germans that any day now America and Britain might call off the war, make a compromise peace and leave Germany free to turn on Russia. And of course more people will believe that if there is trouble between Russia and the other United Nations. Anything that creates division among the United Nations concerns every one of those nations—the United States included—because we must all hold together to win the war. After the war, if the United Nations continue to hold together in some sort of collective security system, there will be less danger that any of the great powers may feel it has to safeguard its individual security at the expense of its weaker neighbors. That is the only way this issue can be treated—as one phase of the problem of world security.

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EXHIBIT 8A—STATE DEPARTMENT MEMORANDUM WHICH BORE A RUBBER STAMP MARK INDICATING IT HAD BEEN DELIVERED TO MR. BERLE ON APRIL 22, 1943

DEPARTMENT OF STATE,  
DIVISION OF EUROPEAN AFFAIRS,  
*April 22, 1943.*

MEMORANDUM

\_\_\_\_\_ of FC, at the request of Mr. Berle, called to ask whether Eu had any objection to Stockholm's airgram No. A-181, April 5, 4 p. m., being given to OWI apparently for the purpose of using information contained therein regarding German atrocities against Jews in Poland in a propaganda campaign which OWI wishes to start in order to counteract the German propaganda story regarding the alleged execution of some 10,000 Polish officers by the Soviet authorities.

It is felt that because of the extremely delicate nature of the question of the alleged execution of these Polish officers and on the basis of the various conflicting contentions of all parties concerned, it would appear to be advisable to refrain from taking any definite stand in regard to this question.

Although it is realized that the story emanates from German sources and is being used by the German propaganda machine in an effort to divide the members of the United Nations, it should be borne in mind that whether the story is true or not, it is known that the Polish Government has, without success, for the past year and a half been endeavoring to ascertain from the Soviet Government the whereabouts of some 8,000 Polish officers who on the best available evidence were captured by the Soviet forces in 1939. In this connection the Polish Government in the summer of 1942 specifically asked that the American Ambassador to Moscow intervene with the Soviet Government in an effort to cause the latter to release the 8,000 Polish officers who were purportedly still being held by the Soviet authorities. According to Polish officials here the Soviet authorities have never released one of the officers on the list presented by the Polish Government.

Furthermore, according to telegram No. 2471, April 20, 7 p. m., from Bern, it

appears that the International Red Cross has agreed to send a delegation to Smolensk to investigate the German allegations.

It would appear, therefore, that until further and more conclusive evidence is available it would be inadvisable for OWI to take a definite stand in this regard.

If, on the other hand, it is felt that it is imperative to counteract the German propaganda it is suggested that such action should be limited to a campaign pointing out that the American Government and the American people refuse to allow German propaganda stories regarding the alleged execution of the Polish officers to detract their attention from the many and continuing crimes which have been committed by the German authorities since the beginning of the war. In this connection OWI could repeat the many authenticated stories such as that of Lidice and might even quote, without giving the source or stating that the information has been completely verified, pertinent information from the attached telegram from Stockholm. It is not believed that the information in this telegram should be attributed as coming from official sources since in the last paragraph doubt is thrown on the accuracy of the information reported.

As of possible interest in this connection there is attached a copy of the Polish National Council's statement which follows in some way the line suggested for OWI.

(COMMITTEE NOTE.—A copy of the Polish National Council's statement referred to in the last paragraph of exhibit 8A appears as exhibit 21 on p. 678 of pt. 4 of this committee's published hearings.)

Mr. MITCHELL. Mr. Davis, you have told us previously that on overall policy and on high-level policy matters, you discussed those with Mr. Hull and Mr. Welles. I would like to ask you now whether you ever discussed this matter specifically at this time with the Department of State or any official therein?

Mr. DAVIS. I don't remember. I may say, Mr. Counsel, that this was not one of the major issues that I had to deal with at that time, from my point of view. To a Pole it was certainly the most important issue in the world, but to me, as to the head of every department or agency of Government, about that time of year the principal question was how his budget was going to get through Congress, and that absorbed most of my time. So whether I asked advice on this question from either Mr. Hull or Mr. Welles, I don't remember. I don't recall seeing this memorandum from Mr. Berle, although it is conceivable that I might have. I don't know.

Mr. MITCHELL. Do you think the records of the broadcast are available today—who prepared it for you? You didn't prepare it?

Mr. DAVIS. Of course—I wrote my own.

Mr. MITCHELL. Then you wrote that broadcast?

Mr. DAVIS. Yes.

Mr. MITCHELL. Where did you get the information concerning the Polish situation at that time?

Mr. DAVIS. Do you mean the information in here [indicating exhibit 8]?

Mr. MITCHELL. Yes.

Mr. DAVIS. There doesn't seem to be much about the Polish situation.

Mr. MITCHELL. I mean the propaganda.

Mr. DAVIS. A good deal of it was printed in the newspapers at the time. Some of it may even have been in my broadcasts. I imagine that the correlation of different stories told by different Axis Powers probably came from recorded broadcasts by the FBIS which came through our Foreign News Bureau.

Mr. MITCHELL. Well, since there was a question of doubt at that particular time, and since the International Red Cross was becoming involved in this, and since it was after the Polish-Soviet relationship

was severed, why did you see fit at that time to take the stand you took in this broadcast?

Mr. DAVIS. Because I believed it at that time to be correct. It was a matter of news. For a period of about 3 months I did a weekly broadcast on an over-all survey of the war situation, which I eventually dropped because I could never be quite sure who was broadcasting. It was not the executive branch of the Government of the United States. That—if that would have been the case, I would have had to have Presidential approval for all I said. It wasn't me, because I felt that in justice to other broadcasters I should not use, even for background interpretation, any confidential information that came to me as a result of my Government service. Some of that confidential information I probably could have picked up if I had been a reporter, by going around, so it was not as good as Davis would have been normally, and it was not as authoritative as representations of the Government of the United States. So about the end of 3 months, I dropped it, but I was doing it at this time. This was a matter of news.

With regard to the suggestion of Mr. Berle, as I say, I don't remember whether I saw it or not, but this was an issue which a news organization could hardly overlook. One of our difficulties with the Department of State was that there was only the question of: Where is the boundary line between policy and implementation of that policy by propaganda? They could tell us, unquestionably, the general line, but when they attempted to tell us how we could handle it in propaganda overseas, they were dealing with something which very often they didn't know very much about. I do not think any news organization could have overlooked this. If I had not happened to be broadcasting once a week at that time, I would undoubtedly have had nothing to say about this domestically, as it was outside of our field. But we were handling it in our foreign propaganda—we couldn't overlook it. I mean that is a case where silence would be about the worst possible propaganda you could make.

At the time I made this broadcast, the evidence rested almost entirely on the word of Josef Goebbels, a man whose reputation for veracity was extremely low.

Now, it appears, with all of the subsequent evidence, that has become available, that this was the one time he was right; but I had no reason to believe so at the time. I have never been able to accept the argument that I should have believed the story of the Propaganda Minister of a Government with which the Government of the United States was at war, without some corroboration.

Mr. MITCHELL. But the Polish Government in exile had already requested the International Red Cross to investigate?

Mr. DAVIS. Yes, they had requested that; but, as I remember, the Commission of Physicians that finally went in there—was that appointed by the International Red Cross? I don't remember.

Mr. MITCHELL. No.

Mr. DAVIS. That was a German group?

Mr. MITCHELL. The International Red Cross was prevented from going in there because of the fact that the Soviets refused to participate. Consequently, the Germans formed an International Medical Commission. But Poland was an ally at that time. Poland had requested at that time an International Red Cross investigation. Re-

lationships were broken off between the Poles and the Soviets on April 26, 1943. Your broadcast is dated May 2. So there must have been some doubt or question. Otherwise the Polish Government wouldn't have gone to the extent of asking for an International Red Cross investigation.

Mr. DAVIS. Oh, there may have been some doubt, but I felt that as at that moment the doubt should be resolved against the Propaganda Minister of the enemy.

I may say that that broadcast earned me three columns of denunciation from the Daily Worker and also three columns of denunciation from the Polish paper, or at least I was told it was denunciation. I couldn't read it. At that moment both the Polish newspaper and the Daily Worker knew of what I had said.

Mr. MITCHELL. I have no further questions.

Chairman MADDEN. Mr. Machrowicz?

Mr. MACHROWICZ. Mr. Davis, how long did you remain with the Office of War Information? When did you sever your relationship with the Office of War Information?

Mr. DAVIS. September 15, 1945.

Mr. MACHROWICZ. During the time that you were in the Office of War Information, had you ever known of the reports of Colonel Van Vliet and Colonel Stewart?

Mr. DAVIS. Never, sir. As far as I can recall now, I never heard of those reports until they came out in the investigations of this committee.

Mr. MACHROWICZ. Those reports, which indicated Russian guilt, were never made known to you?

Mr. DAVIS. No, sir.

Mr. MACHROWICZ. Now, how large a staff did you have in the Office of War Information?

Mr. DAVIS. Well, at the peak we had about 9,000 here and abroad, 5,000 Americans, and about 4,000 of what we called locals, chauffeurs and interpreters, and things like that.

Mr. MACHROWICZ. Did you have a so-called Polish Section?

Mr. DAVIS. Yes, sir.

Mr. MACHROWICZ. How were these people selected?

Mr. DAVIS. A good many of them were there when I came. They had come from the predecessor organization, the Coordinator of Information. I don't remember who selected the man who was the head of our Polish desk in Washington, Mr. Ludwig Krzyzanowski, but he was a very sound man.

Mr. MACHROWICZ. Did you know the late Congressman John Lesinski?

Mr. DAVIS. I have had some correspondence with Mr. Lesinski.

Mr. MACHROWICZ. Was it at the time you were in the Office of War Information?

Mr. DAVIS. No; just recently—I mean 2 or 3 years ago.

Mr. MACHROWICZ. Do you have a recollection that Congressman John Lesinski, the late Congressman—I mean the senior Mr. Lesinski—having warned you about the fact that there were several Communists in the Office of War Information?

Mr. DAVIS. I don't recall that. I recall that he made a speech in the summer of 1943 which contained more lies than were ever comprised in any other speech made about the Office of War Information,

and that is saying quite a lot. I may say that I have made that statement to Mr. Lesinski before he died. I mean that I have not waited until after he is dead. I told him so in writing when he repeated some of those statements 2 or 3 years ago. I asked him where he got the information, because that was a perfectly absurd speech to be made by a Member of the Congress of the United States who knows anything about American politics or the American news business.

Mr. MACHROWICZ. Now, let me ask you whether you received any warnings from the then Polish Ambassador to the United States, Ambassador Ciechanowski, warning you about the fact that there were some Communist employees in the OWI?

Mr. DAVIS. I received a great number of allegations from Mr. Ciechanowski. I can't remember all of them now, but they were investigated, and, as I recall, there was no convincing evidence to support them.

Mr. MACHROWICZ. Do you know Irene Belinska, who was in the Polish Section?

Mr. DAVIS. I don't remember here.

Mr. MACHROWICZ. For your information, she was at that time one of the members of the Polish Section in your office.

Mr. DAVIS. Was she here or in New York?

Mr. MACHROWICZ. In Washington. She is the daughter of Ludwig Rajchman, who was the first consul of the Polish Communist Embassy in Washington in 1945. Rajchman engineered the surrender of the Polish Government in exile's files to the Polish Communist Government in Washington. In 1947, this same Miss Balinska returned to Poland—she was then employed by the Office of War Information—returned to Communist Poland and then came back to the United States and is now with a Polish Communist publishing house which publishes an anti-American newspaper. Did you know that?

Mr. DAVIS. She could not have been employed by the Office of War Information in 1947, because we had folded up.

Mr. MACHROWICZ. No, not in 1947. It was prior to that time.

Mr. DAVIS. I don't remember.

Mr. MACHROWICZ. You don't remember having been warned by Ambassador Ciechanowski or by anyone else about the fact that she was in your employ and that she was a Communist?

Mr. DAVIS. I don't remember. It may have happened. I don't know; it is a long time ago.

Mr. MACHROWICZ. Did you know a Mira Zlotowski, who was in your employ in 1945?

Mr. DAVIS. I don't recall. Mr. Krzyzanowski was the only man I ever had much dealing with, as I say, as the head of our Polish desk in Washington.

Mr. MACHROWICZ. Did you know Mrs. Zlotowski, the wife of Prof. Ignatius Zlotowski, the counselor of the Polish Communist Embassy in Washington, who was denounced as a Communist by General Modelski of the Polish Embassy, who had resigned? He testified before the House Un-American Activities Committee that Mrs. Zlotowski was a Communist agent.

Mr. DAVIS. I have no doubt of that.

Mr. MACHROWICZ. You don't remember her being employed by the Office of War Information?

Mr. DAVIS. She may well have been. I don't remember. As I say, the only man I dealt with was Mr. Krzyzanowski, who after he left us, went to the United Nations. For 3 or 4 years the Polish Communist Government tried to get him out of his job at the United Nations because he was working for us. I don't know whether he is still employed there.

Mr. MACHROWICZ. Did you know a Stefan Arski, alias Arthur Salman?

Mr. DAVIS. No.

Mr. MACHROWICZ. For your information, he was also employed by the Office of War Information in 1945. He is now in Warsaw, Poland, and is editor in chief of the Communist paper Robotnik, which means The Worker, the most outspoken anti-American organ in Warsaw. He at that time was also an employee of the Office of War Information. You have no recollection of him?

Mr. DAVIS. No.

Mr. MACHROWICZ. You have no recollection of either Ambassador Ciechanowski or Congressman Lesinski warning you about the fact that these three persons were known Communists, and were in the employ of the Office of War Information?

Mr. DAVIS. I don't remember that Mr. Lesinski ever warned me about anything. Mr. Ciechanowski, perhaps by his excessive number of warnings, made me forget which particular ones he especially spoke about.

Mr. MACHROWICZ. Would it refresh your recollection if I told you that you told Ambassador Ciechanowski to keep away from that matter?

Mr. DAVIS. I don't know, but I do know that I was often tempted to tell various of the representatives of the governments in exile to stay out of our business, because almost every one of them seemed to think that it was our duty to carry out the policies of his government and not those of the United States. There were only two exceptions to that that I can remember, of the governments in exile, the Czechs, that is, the good Czechs, Beneš, and Masaryk and the Filipino Government.

I will anticipate your next question. Mr. Hofmeister, who was head of our Czechoslovak desk in New York, after the Communists seized power, became a Communist and is now, I believe, the Czechoslovak Ambassador in Paris. But he showed no signs of that inclination while he was with us that I ever heard of.

Mr. MACHROWICZ. You took that attitude, even though they had warned you of the presence of Communist agents in the Office of War Information?

Mr. DAVIS. If I had taken seriously all of the stories about agents of the Communists in the Office of War Information I would have had nothing else to do but to fire the whole staff. We investigated everything as much as we could, and we found that 99 percent of the allegations were without foundation. I remember that at one time I received a very serious warning in the summer of 1944 about some of our people in Hollywood who were associating with a dangerous and subversive character who at that time happened to be the chairman of the Dewey committee in Hollywood, and who had also written the most effective anti-Communist picture that was ever put on the screen.



Mr. MACHROWICZ. Do you have any doubt about the fact that these three persons whom I have mentioned were actually Communists?

Mr. DAVIS. I have no doubt that they are now. They may be bandwagon Communists, like a lot of others who wanted to be on the winning side.

Mr. MACHROWICZ. I think that in commenting on the testimony taken before the House committee in 1943, you referred to the fact that Mr. Cranston was only expressing his hope as to what these commentators would say; is that correct?

Mr. DAVIS. Well, that was the way it sounded to me. Counsel for the committee phrased it a little differently, but it seemed to me that the testimony of one of the witnesses will indicate that it was as you say.

Mr. MACHROWICZ. I will refer you to this question and answer:

Mr. GAREY. And they wanted to know what you could do about getting the program content on those Detroit stations to conform to their views of what should be put over the air in the United States about the Russian situation? That is the sum and substance of what Cranston was trying to get you to do?

Mr. LANG. I don't know that it was expressed that way. That was the thought.

Would you say that Mr. Cranston was right in trying to get any station in Detroit—or any other station—to conform to the views on what should be put over the air?

Mr. DAVIS. No. What should be broadcast over the air in the United States about the Russian situation?

Mr. MACHROWICZ. Yes.

Mr. DAVIS. No; that would be quite beyond our authority or quite beyond my desires. But if you will look back a little further, you will find that one of these gentlemen testified rather to the opposite.

Mr. MACHROWICZ. I am just referring to this particular question: You would say that if he acted in the manner that has been described here, he acted improperly?

Mr. DAVIS. I think he acted improperly in that case, yes—if he so did.

Mr. MACHROWICZ. Did you at any time after your original broadcast in May 1943, broadcast any information indicating the receipt of information showing Russian guilt?

Mr. DAVIS. I don't remember.

Mr. MACHROWICZ. What information did you have other than what you have already said, upon which to base your belief as to the truth of the contents of that statement of May 3, 1943?

Mr. DAVIS. Just what I have here, the conflicting stories told by the various Axis Nations, and the general unreliability of Joseph Goebbels.

Mr. MACHROWICZ. Now, is it still your opinion, as expressed in that broadcast, that the request by the Polish Government for an impartial Red Cross investigation was a maneuver, brought about by German propaganda?

Mr. DAVIS. No. I except to that to the extent that the German propaganda, bringing in the whole story, touched off the chain reaction. I am certainly not implying that the Polish Government was responsive to German propaganda; but it was a very smart thing by Joseph Goebbels, which brought an obvious reaction.

Mr. MACHROWICZ. As I remember your broadcast, you indicated that you thought the request of the Polish Government for an impartial investigation was a smart maneuver by the German propaganda.

Mr. DAVIS. Well now, wait a minute. Let me see this. It says:

\* \* \* German propaganda won a striking success last week when it succeeded in bringing about a break in diplomatic relations between Russia and the Polish Government in exile.

I don't think that that implies that the Polish Government was responsive to German propaganda, as such; that the story that was broken by German propaganda, which had not been broken before then, was responsible for this, and that the refusal of the Russians to consider the International Red Cross investigation was responsible for the breaking off of relations.

Mr. MACHROWICZ. And you don't believe—do you?—that the request by the Polish Government for an impartial investigation was at all caused by German propaganda?

Mr. DAVIS. Oh, certainly not.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Mr. Dondero?

Mr. DONDERO. Mr. Davis, there has been handed to me, since I came into the committee room at noon, a pamphlet which contains this statement [reading]:

One of the greatest OWI scandals broke when Frederick Woltman published his article entitled "A. F. of L. and CIO Charge OWI Radio as Communistic."

Woltman's article appears in the New York World-Telegram of October 4, 1943. It showed that the A. F. of L. as well as the CIO, the two great American labor organizations, which nobody but the Communists ever accused of being reactionary, withdrew their cooperation from the OWI's labor desk because of the latter's outspoken Communist attitude.

Do you want to comment on that?

Mr. DAVIS. That is correct. We removed the man at the head of the desk.

Mr. DONDERO. Who was that man?

Mr. DAVIS. I have forgotten his name now, but I remember that it happened.

May I ask what the pamphlet is, sir?

Mr. DONDERO. Yes; it is a pamphlet entitled "The OWI and Voice of America," by Julius Epstein.

Mr. DAVIS. That statement is correct, and we did remove the man. We had to fire a few people now and then.

Mr. DONDERO. How many, Mr. Davis, did you have to fire because of their communistic attitude?

Mr. DAVIS. I think it was about a dozen. We fired the head of the Greek desk in New York because he violated a directive sent from Washington about the handling of the news of Greece. I have forgotten his name, but it happened. There were a few others here and there.

Chairman MADDEN. Mr. Sheehan.

Mr. SHEEHAN. Mr. Davis, can you tell us how you were selected for the OWI job?

Mr. DAVIS. Well, I was selected by the President. I don't know how he came to the conclusion. New Yorker magazine was my

original sponsor. I wrote to the editor afterward and told him that he seemed to be the man who did it. He said that he was "delighted," because that was the second public-service campaign he had ever conducted, both successful. The first one was to get the information booth in the Pennsylvania Station moved to the middle of the concourse. He seemed to think that these two achievements were of about equal importance.

Mr. SHEEHAN. You stated in the beginning that you reported only to the President?

Mr. DAVIS. That is correct.

Mr. SHEEHAN. Therefore, the President must have given you some directives, or some ideas of what he wanted you to do, or what job he wanted you to accomplish. Can you relate that?

Mr. DAVIS. Well, Mr. Roosevelt was a pretty busy man. I didn't bother him any more than I had to. I think it is fair to say that he was not very much interested in propaganda, so that I didn't get very many directives from him about specific matters.

Mr. SHEEHAN. What do you mean by "not very much interested in propaganda"?

Mr. DAVIS. I don't think that he regarded it as of any major importance. For example, I don't think that he attached anything like the weight to it that President Wilson did.

Mr. SHEEHAN. In other words, you just had a cursory talk with him. The President didn't lay down any specific principles?

Let's be specific. Did he say at any time the way in which you should treat Russia or any of our other allies?

Mr. DAVIS. No; not other than to——

Mr. SHEEHAN. Then the whole policy of OWI was entirely within your lap?

Mr. DAVIS. We had to check with the State Department, as I say, on specific issues; but, very often, we found that the Government had no policy. When I say "very often" that is a little exaggeration, but there were certain cases in which we found that the Government had not decided on policy. We had to keep on presenting news to and about certain countries, and there we just had to "roll our own."

Mr. SHEEHAN. The State Department, then, did not lay down any policy for you at any time?

Mr. DAVIS. Oh, yes; they did on various points, quite a lot of them.

Mr. SHEEHAN. To be specific, did they lay down any policy or ask you to follow any particular line with reference to the treatment of Russian news?

Mr. DAVIS. No.

Mr. SHEEHAN. German news?

Mr. DAVIS. Well, naturally, we regarded German news with considerable suspicion. We were at war with Germany, and what came out of Germany was what was permitted by Joe Goebbels. We didn't have very much confidence in him as a news source.

Mr. SHEEHAN. I would like to get back to this talk about F. D. R.

It seems inconceivable to me that Mr. Roosevelt would have called you in and would have said "Here, Mr. Davis; you take over the OWI. It is yours," with no specific instructions, or anything. It seems to me that Mr. Roosevelt was a strong-enough-willed man that, if he believed he did not want your propaganda, he would have put the OWI out of existence.

Mr. DAVIS. The propaganda agency had been in existence before that. The problem when OWI was formed was to unify the four Government agencies that were then in existence. That was the principal thing that I was concerned with.

Mr. SHEEHAN. Did you agree with Mr. Roosevelt that propaganda wasn't worth much?

Mr. DAVIS. No; though I think that its value often has been over-rated. Propaganda never won a war by itself. It can be an extremely useful auxiliary to military operations, but it never won a war single-handedly.

Mr. SHEEHAN. On the basis of your experience in OWI—and you have probably followed its course since you left it—do you think that, as a whole generally, they have done a worthwhile job?

Mr. DAVIS. Whom do you mean?

Mr. SHEEHAN. The propaganda agencies, the OWI and the Voice of America?

Mr. DAVIS. I do.

Mr. SHEEHAN. You think it has been effective with the people overseas?

Mr. DAVIS. It has been about as effective as it could be.

Mr. SHEEHAN. That may be nothing.

Mr. DAVIS. Well, it is more effective than that. It has been very valuable at times.

Mr. SHEEHAN. Do you think, in your own opinion, that we are getting our money's worth for the large amount of money we are putting into this propaganda?

Mr. DAVIS. Yes.

Mr. SHEEHAN. Then, if you were a taxpayer, you would want to continue the Voice of America?

Mr. DAVIS. I am a taxpayer, Mr. Sheehan.

Mr. SHEEHAN. Do you think it should be continued?

Mr. DAVIS. It should be continued. It may be, as some have said, that a psychological-warfare program will crack the Communist front in Korea. I very much doubt that. It will help, but it won't do it by itself, in my opinion. However, it will help.

Mr. SHEEHAN. Now, this Congress—and I myself, having been fortunate enough to be reelected—will have to face the fact that we are voting some appropriations for the Voice of America. From what I have seen and heard—and I am giving you my own personal opinion—I am not too confident. I mean that it is big in size and it is a large amount of money that is being spent. Someday we should have someone, an expert like yourself, resolve in our own minds that maybe propaganda is in itself valuable. That I would not question. But whether we should have 9,000 employees and spend billions of dollars are points that a man with your experience should be able to tell us about, more or less "off the cuff."

Mr. DAVIS. I don't think there is any proposal—any informed proposal—to spend billions of dollars. Two or three amateurs have suggested that we need billion-dollar programs. I do not think it is worth an investment of billions, by any means, but I do think that it is worth the investment of the money that is going into it now.

Remember that expenses are considerably higher than they were a few years ago when I was operating. The Voice of America at present

gets more money than the OWI ever had, but that is largely due to the increase in costs.

Mr. SHEEHAN. I don't have the facts, and that is why I am asking you these questions.

Mr. DAVIS. I remember those statements, Mr. Sheehan, by outsiders; that is, about how we ought to pour billions of dollars into a great campaign of truth. I do not believe you would get value received for billions, but I do believe that, for the kind of money that is going into it now, you do.

Mr. SHEEHAN. For instance, one of the criticisms—and it will bear investigation, because as it stands in my mind I do not have the exact facts—is, for instance, that in the radio end of the Voice of America at the present time there are more employees than the combined networks in America. It seems to me that the combined networks in America are doing a wonderful job of news saturation and dissemination.

Mr. DAVIS. The combined networks operate in one language. The Voice of America overseas probably operates in 40. That is one difference right there.

They have to have relay stations abroad to pick up their short-wave stuff and transmit it to medium waves, so that it can reach the audiences. So, it is a far more expensive operation.

Mr. SHEEHAN. That is all I have.

Mr. DONDERO. I have one more question.

Chairman MADDEN. Mr. Dondero.

Mr. DONDERO. Mr. Davis, how many people are employed by the OWI—that has gone out of business—the Voice of America, today?

Mr. DAVIS. I don't know how many they have today. As I say, at our peak, we had about 9,000 here and overseas. But that was when we had some 30 oversea stations, and there were some 4,000 of those who were local people, porters, chauffeurs, translators, and things like that.

Mr. DONDERO. Our investment in the Voice of America is about \$85,000,000 annually now. Do you understand that to be about correct?

Mr. DAVIS. Yes, sir; but, as I say, the costs have vastly gone up. Then there are also certain things such as, for instance, when Luxemburg was liberated, our psychological warfare was partly OWI and partly British. They had the great advantage of Radio Luxemburg. But now Radio Luxemburg has been given back to Luxemburg, and our people have had to build their own relay stations.

Chairman MADDEN. As a comment, I might say this: I think that the Voice of America and any medium to send truth behind the iron curtain is a good investment. But, referring to some of the ridiculous ideas of even some Members of our Congress on expenditures for propaganda and truth, it has been revealed by the people over in Europe that our committee, through our testimony over there, put the Russian propaganda machine on the defensive. Our committee will not cost the American taxpayers over \$80,000. Yet, when the resolution was up on the floor of the House to permit our committee to go overseas, there were 156 Members who voted against the resolution. A great number of them thought the expenditure involved was too much. We only won permission to go overseas by nine votes.

When you consider the millions of dollars that have been spent by

Congress for propaganda, I do not think the opinions of some Members of Congress are of very much value when you consider that our resolution won by only nine votes.

Mr. DAVIS. If I might just offer a sort of supplementary paragraph to that, propaganda has to have something to work on. The most powerful propaganda is the truth; and the facts about this Katyn business which your committee has brought to light will undoubtedly be of enormous value to the Voice of America from now on.

Chairman MADDEN. Are there any further questions?

Mr. O'KONSKI. Mr. Davis, were you warned through several different sources that you had Communists in the Office of War Information? One statement that you made was that in Mr. Lesinski's warning, for example, there were more lies in that article than you ever saw before.

Mr. DAVIS. That is correct.

Mr. O'KONSKI. Is it your contention that there were no Communists in the OWI?

Mr. DAVIS. No, sir. But the statements made by Mr. Lesinski were almost all demonstrably false. As I say, we found about a dozen, and we fired them.

Mr. O'KONSKI. Do you recall a Mr. Peter Lyons?

Mr. DAVIS. I know the name.

Mr. O'KONSKI. Do you recall a Mr. Barnes?

Mr. DAVIS. Joe Barnes—certainly.

Mr. O'KONSKI. What was your estimate of Mr. Barnes?

Mr. DAVIS. I thought he was a very able man, but he was too much addicted to what we called in the war "localitis." He was head of the New York office, and it was eventually found desirable to remove him because he didn't seem to be quite sufficiently in sympathy with the policies laid down in Washington. But I never had the slightest question about his loyalty.

Mr. O'KONSKI. I am quoting now from the labor report that we had reference to. It says here [reading]:

It developed that the labor broadcasting desk under Mr. Barnes, through the OWI, had broadcast to Europe songs of the Almanac Sailors, who are virtually the official songsters of the American Communist Party.

In other words, for a while there we actually had Communist songs going out over the OWI.

Mr. DAVIS. I don't know about that, Mr. O'Konski. I would hesitate to believe it without corroboration, because so many lies were told about us. As I say, I didn't know anything about it, and I doubt whether Joe Barnes knew anything about it. It is conceivably true, but we did remove the head man.

Mr. O'KONSKI. Did you know that the Almanac Sailors were broadly proclaiming their anti-American attitude with such tuneful songs as "Plow under every fourth American boy"?

Mr. DAVIS. I can't remember that I ever heard of those singers having their songs go out over the OWI.

Mr. O'KONSKI. In other words, you do admit, though, that the Office of War Information did have Communist sympathizers?

Mr. DAVIS. Yes; we had a few, and we fired them when we caught them.

Mr. O'KONSKI. Was the initiative in firing them started by your organization or was it always by some outside pressure, such as the CIO and the A. F. of L.?

Mr. DAVIS. It was almost always started by our organization. We had our own security service, and when they found evidence against somebody we threw them out.

Mr. O'KONSKI. That is all.

Chairman MADDEN. Are there any further questions?

Mr. MACHROWICZ. And you never heard, Mr. Davis, of any of these people whom I mentioned?

Mr. DAVIS. No, sir; evidently not, because they didn't find evidence sufficient to justify firing them at that time. As you say, no doubt they are Communists now, but that was not necessarily true then. I admit that we missed one or two.

Mr. MACHROWICZ. You caught 10, but you do not know how many you missed?

Mr. DAVIS. Well, as I say, I admit that we missed one or two. They have since shown themselves to have become Communists. They are not the ones that you mentioned. I prefer not to mention their names, although I would be glad to give them to the committee in private. We missed them only because they didn't show any evidence of communistic activities at that time, but have shown them since. I don't think there were very many.

Mr. O'KONSKI. Subsequently, since your connection with the OWI and the unearthing of all of this evidence, conclusive as it was, and as you now observe conditions, do you think that if you had to do it over again you would have handled, say, for instance, the Katyn story, in the OWI, as you did, knowing what you know now?

Mr. DAVIS. Oh, no. You mean in the broadcast? No; certainly not.

Mr. O'KONSKI. Would you have handled that broadcast in the same way had you known the facts?

Mr. DAVIS. No, sir. These reports, which seem to me convincing, as far as I know, were never heard of by me until they appeared in the hearings of this committee this spring.

Chairman MADDEN. Have you finished?

Mr. O'KONSKI. Yes.

Mr. MITCHELL. Mr. Davis, you have already told the committee that the function of Alan Cranston was outside the scope of his specific duties when he attended this meeting in New York and tried to get them to conform?

Mr. DAVIS. Well, if he did as you say. I think that if you will read that you will find some conflict in the testimony about that.

Mr. MITCHELL. All right.

I would like to place in the record now from the same set of hearings—and I will ask Mr. Pucinski to read it—testimony concerning a man by the name of Lee Falk. Do you know Mr. Falk?

Mr. DAVIS. Well, I remember the name. I don't remember what he did.

Mr. MITCHELL. In OWI?

Mr. DAVIS. I remember him as somebody in OWI; yes.

Mr. MITCHELL. Will you proceed to read that, please, Mr. Pucinski?

Mr. PUCINSKI. I am reading from page 494 of the same testimony



as exhibit 2. This is from volume 991 of the House committee hearings. This is testimony sworn to by Mr. Robert K. Richards.

Chairman MADDEN. Testimony before what committee?

Mr. PUCINSKI. The House committee investigating the Federal Communications Commission, headed by Congressman Cox. This is testimony sworn to by Mr. Robert K. Richards, Assistant to the Director of the Office of Censorship. Mr. Richards is relating a memorandum that he had written immediately after a conference he had with Sidney Spear, an attorney for the Federal Communications Commission, at 2 p. m. August 25, 1942. I am just going to read the part of Mr. Richards' memorandum which he prepared following that meeting with Spear.

Mr. Spear is talking about a meeting that he had with Lee Falk. I am quoting:

He related his experiences with Mr. Lee Falk of the Foreign-Language Section, Radio Division, Office of War Information. He said that Mr. Falk originally had taken on the job of removing unsavory personnel from foreign-language stations, because he, Mr. Falk, believed such a job had to be done, and no one else seemed to want to do it.

Mr. Spear told me the following: "We worked it this way. If Lee, meaning Lee Falk, found a fellow he thought was doing some funny business, he told me about it. Then he waited until the station applied for renewal of license. Say the station was WBNX and the broadcaster in question was Leopold Hurdski."

there is a note here that Hurdski is a fictitious name being used just for the purpose of illustration. I am continuing quoting:

Well, when WBNX applied for renewal, we would tip off Lee, and he would drop in on Mr. Alcorn, the station manager. He would say "Mr. Alcorn, I believe you ought to fire Leopold Hurdski." Then he would give Mr. Alcorn some time to think this over. After a couple of weeks, Mr. Alcorn would begin to notice he was having some trouble getting his license renewed. After a couple of more weeks of this same thing, he would begin to put two and two together and get four. Then he would fire Leopold Hurdski, and very shortly after that his license would be renewed by the Commission. This was a little extralegal, I admit, and I had to wrestle with my conscience about it, but it seemed the only way to eliminate this kind of person, so I did it. We can cooperate in the same way with you—meaning with the Office of War Censorship.

Mr. MITCHELL. Mr. Davis, would you say that the function of Lee Falk, as described therein, that is, in the congressional committee investigation, was within the scope of his duties at OWI?

Mr. DAVIS. No, sir. If that is a correct report of what he did, I would say that he exceed his proper field.

Mr. MITCHELL. Thank you, sir. I have no further questions.

Chairman MADDEN. Are there any further questions?

Mr. O'KONSKI. Mr. Davis, your handling of the Katyn story was in conformity with the United States military and foreign policy at that time, was it not?

Mr. DAVIS. Well, I don't know that the military policy came into it at all. This memorandum from Mr. Berle would suggest that they wanted nothing said about it. As I say, for a news organization, it was impossible to say nothing about it.

Mr. O'KONSKI. If it had not been in conformity with the over-all policy at that time, you would have heard from him, would you not have?

Mr. DAVIS. Well, I should imagine so. As I say, I heard about it only from the Polish paper and the Daily Worker, neither of which liked it.

Mr. O'KONSKI. The reason I mentioned that is because all of this evidence started to pile up in the various divisions of our Government. They were not correlated. There was a hush-hush policy on the Katyn massacre all the way through, so that at that time, even if you had tried to get the truth about the Katyn massacre, you would have been unable to do so.

Mr. DAVIS. I certainly wouldn't have been able to get the critical documents, the reports of Colonel Van Vliet and of these other people because, as I understand, they were only available after the German collapse in 1945.

Mr. O'KONSKI. In our investigation, we found out that there was no correlation between the various departments. It seems certain that there were never any documents or any bit of evidence pinning the crime on the Germans. It was just not available for anyone to see. So you couldn't have spoken truthfully. The propaganda in your broadcast were based very largely on the suspicion of Goebbels. Did you ever have any suspicion about Stalin?

But as you observe this whole picture now, don't you think—and you do not have to comment on this if you do not want to—that the over-all policy in handling the Katyn affair by all of the branches of the United States Government who were concerned, was very badly handled?

Mr. DAVIS. I don't think they had much evidence until May or June of 1945, and the Van Vliet report. What happened after that I wouldn't know, because at that time we were principally concerned with the Japanese war. Then I went out of office on the 15th of September of 1945.

Mr. SHEEHAN. May I say that in the belief of our committee, the Voice of America followed the policy of hiding the Katyn affair until pretty nearly 1950, although the documents were there.

We understand that there was not much use made of them in the Voice of America.

Mr. DAVIS. The OWI could not have concealed that after September 1945 because after that we did not exist.

Mr. SHEEHAN. I said the Voice of America.

Mr. DAVIS. Whether any division of our office ever got the Van Vliet report, I don't know. I very much doubt it. I do so, because, if somebody had gotten it, I would have been told.

Chairman MADDEN. Are there any other questions?

Mr. Davis, we are grateful to you for coming up here today.

Mr. DAVIS. Thank you, gentlemen.

Chairman MADDEN. The next witnesses will be Joseph Lang and Arthur Simon.

We will hear Mr. Joseph Lang first. Will you come forward, Mr. Lang, please?

I will ask the photographers to take their pictures now, in conformance with the rules.

#### TESTIMONY OF JOSEPH LANG, JENKINTOWN, PA.

Chairman MADDEN. Mr. Lang, do you solemnly swear that the testimony you are about to give the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LANG. I do.

Chairman MADDEN. Mr. Lang, will you state your name and address, please, for the reporter?

Mr. LANG. Joseph Lang, Jenkintown, Pa.

Chairman MADDEN. Mr. Lang, what is your business?

Mr. LANG. I am in the broadcasting business.

Chairman MADDEN. Where are you employed now? For whom? What company?

Mr. LANG. I am vice president of radio station WIBG in Philadelphia.

Chairman MADDEN. Will you proceed, Mr. Mitchell?

Mr. MITCHELL. Mr. Lang, where were you employed in May 1943?

Mr. LANG. I was vice president and general manager of radio station WHOM, New York City.

Mr. MITCHELL. Were you present this afternoon when the testimony was read into the record from the congressional investigation of 1943? Have you read it?

Mr. LANG. I have read it.

Mr. MITCHELL. Then you are familiar with that statement?

Mr. LANG. Yes.

Mr. MITCHELL. Do you now state before this committee that the statements contained therein are true?

Mr. LANG. I do.

Mr. MITCHELL. That Mr. James F. Hopkins was contacted in Detroit?

Mr. LANG. I do.

Mr. MITCHELL. That Mr. Alan Cranston and Mrs. Hilda Shea visited your office?

Mr. LANG. That is correct.

Mr. MITCHELL. And that present at that meeting was Mr. Simon?

Mr. LANG. Yes; that is true.

Mr. MITCHELL. And that no member of the Office of Censorship was present?

Mr. LANG. They were not.

Mr. MITCHELL. And that the substance contained therein, that is, what you have read from the congressional hearing—and since you were the witness, you should certainly know what you said—is definitely true?

Mr. LANG. That is correct.

Mr. MITCHELL. I have no further questions.

Chairman MADDEN. Are there any questions?

Mr. O'Konski?

Mr. O'KONSKI. In this conversation that you had, Mr. Lang, did any conversation develop along these lines—that these foreign-language stations are on a temporary license, and that if they didn't conform, somehow it would be made known to them through the Federal Communications Commission that the renewal of their license might be endangered? Did any conversation or hints ever develop when you were meeting with these people about getting these foreign-language stations to conform with OWI policy?

Mr. LANG. I would say actual conversations took place encompassing words like those. But we all knew in the foreign-language field, since there were so many people suspect of different leanings, whether they were Fascists, Fascist leanings or Communist leanings, that we

were held on the string, you might say, until a lot of these things could be cleared up.

As far as hints go, I wouldn't say there were hints; but it was generally known and discussed among station owners, or station managers, that that was the situation.

Mr. O'KONSKI. Now, you are in the radio business as I am. Suppose you owned a foreign-language station and somebody hinted to you that as long as you had John Jones as an announcer or as a newscaster on your radio station you might run into a little difficulty in getting your license renewed. As a radio-station operator, how long would it take you until you would fire that announcer or newscaster?

Mr. LANG. Well, frankly, Mr. O'Konski, there isn't any such thing as a foreign-language station. These are American stations broadcasting in foreign languages.

Mr. O'KONSKI. That is right. I will correct the record.

Mr. LANG. I could not be intimidated by any such talk or threat. I have been in the broadcasting business since 1928. I have attended a great many hearings before the Federal Communications Commission. In my estimation, the owner or the licensee of a radio station is the sole person responsible for that license, and it is up to him to use his own best judgment as to whether the person should be fired or not. I know that when it came to a final analysis, no governmental agency could take a license away from a station because, in their judgment, they saw fit to keep a person on who might be inimical to the country's interests or the country's security. If he was, that would be a case for the FBI, and that is the way I judge matters like that.

Mr. O'KONSKI. That was true in your case. But take some of these stations that are barely hanging on economically, having a hard time making ends meet. If it was generally hinted to them almost by anybody, that they would run into difficulty in getting their license renewed as long as they had this person commenting on the news, what do you think most of those owners would do? Would they run the risk of antagonizing the Government agency or would they call in the commentator and say "I am sorry, but my business is in jeopardy, and I cannot take the chance. I will have to dismiss you."

Mr. LANG. I don't know whether I can answer that. In other words, I would be just venturing an opinion, when you ask me what I think they would do.

Mr. O'KONSKI. Yes; I understand.

Mr. LANG. The only thing I can really state definitely is what I would do.

Mr. O'KONSKI. That is right.

Mr. LANG. I suppose they would be very much tempted to take the easiest way out, and to let the person go, if they felt that their license was in jeopardy.

Chairman MADDEN. Are there any further questions?

Mr. MACHROWICZ. Mr. Lang, as the result of the conference you had with Mr. Cranston, did you contact Mr. Hopkins, Mr. James F. Hopkins, of Station WJBK, in Detroit?

Mr. LANG. Yes; I did.

Mr. MACHROWICZ. Why did you contact him?

Mr. LANG. Because Mr. Cranston and Mrs. Shea called me from Washington to arrange this meeting, saying that they would like to

get the foreign language, or rather, the Polish situation straightened out in Detroit, and asking me whether I could help.

Mr. MACHROWICZ. What did they tell you about the so-called foreign language situation in Detroit?

Mr. LANG. That the Polish commentators were—I don't remember the exact language—but they used the colloquial expression—"going haywire" and making comments on a great many subjects that they felt were not in line with what our general thinking should be.

Mr. MACHROWICZ. Did they specifically refer to the Katyn massacre?

Mr. LANG. The two subjects mentioned were the Katyn massacre and—yes, they did refer to that.

Mr. MACHROWICZ. So that Mr. Cranston objected to the commentator on Station WJBK making comments indicating Russian guilt for the massacre; is that correct?

Mr. LANG. Yes.

Mr. MACHROWICZ. And he wanted you to put a stop to that?

Mr. LANG. Well, he couldn't ask me to put a stop to it, because I had no authority. I was chairman of the foreign language committee of the National Association of Broadcasters and we had no power, as an industry committee, a voluntary industry committee, we had no power to discipline anyone. We simply tried to have our programs in the national interest. Mr. Cranston asked me what my ideas were on it, and I said that I would apply the same procedures and rules that I had used there, and had used for a good many years, that is, that I would only permit to be broadcast in these foreign languages at a critical time, the dispatches we got off the services that we subscribed to. At that time they were the Associated Press and the International News Service.

The reason for that was that I felt that they were checked at the source. We received them by teletype in our station. Frankly, there was more reliability to those reports, more reliability than we could ascertain by checking ourselves, for which we had no facilities.

On the other hand, if we permitted people to comment on matters, they were giving their own versions, their own reports, and I didn't know where those ideas were coming from.

Mr. MACHROWICZ. In other words, what Mr. Cranston wanted you to do was to use your good efforts to try to convince Station WJBK in Detroit not to permit these comments, which would indicate Russian guilt?

Mr. LANG. That is right.

Mr. MACHROWICZ. And wasn't that a form of censorship?

Mr. LANG. Yes; I would suppose you could call it that.

Mr. MACHROWICZ. Was that not contrary to the spirit of the Federal Communications Act?

Mr. LANG. Yes.

Mr. MACHROWICZ. And you did call Mr. Hopkins?

Mr. LANG. Yes; I did.

Mr. MACHROWICZ. What did you tell Mr. Hopkins?

Mr. LANG. I told him that I thought—I didn't suggest any way to run his station. I told him what I was doing, and that I thought that would be a course to pursue which would satisfy the public in getting proper news without having it slanted; that I had used that method, and that I felt it very satisfactory.

Mr. MACHROWICZ. What did Mr. Hopkins tell you?

Mr. LANG. As I recollect—I do not remember his exact words—he said that he would think it over, and, naturally, make his own decision, as he was the owner of that station.

Mr. MACHROWICZ. That is all.

Let me ask this. Mrs. Shea was definitely not representing the policies of the Federal Communications Commission. What she did, she did on her own?

Mr. LANG. Yes.

Chairman MADDEN. Are there any further questions?

You may proceed, Mr. Mitchell.

Mr. MITCHELL. Mr. Lang, in an interview conducted by the committee staff in September of this year with Mrs. Shea, the following question was asked:

Unless Mr. Lang is not telling the truth or unless he is confused, or unless the regulation is not corrected, it would appear that you were really not exploring. You had your mind pretty well made up. From what he said earlier, you were concerned about the boundaries, the question of boundaries between Poland and Russia?

to that Mrs. Shea replied:

I would like to repeat, I would like again to repeat that Mr. Lang is quite mistaken in saying that I joined with Mr. Cranston in the recommendation that any station could take any position on this Polish-Russian controversy.

Would you like to comment on that, please? Did she join with Cranston?

Mr. LANG. Well, the fact that she was at that meeting, whether she said a word or not, would certainly indicate to me that she was in agreement with what Cranston thought and expressed to me.

Mr. MITCHELL. Was your license up for consideration at that time?

Mr. LANG. Yes.

Mr. MITCHELL. Was she present, then, in that capacity, that is, in connection with your license, or was she there on this Katyn-Polish question?

Mr. LANG. Well, she was there, as I understand it, to accompany Mr. Cranston. I don't know what her official position was. She had no official position, as far as I was concerned, except that they were both interested in this situation.

Mr. MITCHELL. Did Cranston have anything to do with the granting of licenses?

Mr. LANG. No.

Mr. MITCHELL. Why do you think that Cranston was at that meeting, other than for that Katyn affair?

Mr. LANG. I do not know.

Mr. MITCHELL. Is Mrs. Shea correct in her statement that she did not participate in this discussion?

Mr. LANG. Well, she was certainly there, and, as far as I am concerned, that is participating in a discussion. I don't recollect any exact words, but anyone who was present had to participate in the discussion.

Mr. MITCHELL. Thank you. I have no further questions.

Chairman MADDEN. Are there any further questions?

Thank you, Mr. Lang, for appearing as a witness.

Chairman MADDEN. Arthur Simon, please.

**TESTIMONY OF ARTHUR SIMON, FOREST HILLS, N. Y.**

Chairman MADDEN. Mr. Simon, do you solemnly swear that the testimony you are about to give the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SIMON. I do.

Chairman MADDEN. Will you state your name, please, Mr. Simon?

Mr. SIMON. Arthur Simon.

Chairman MADDEN. And your address?

Mr. SIMON. 7714 One hundred and thirteenth Street, Forest Hills, N. Y.

Chairman MADDEN. And your business?

Mr. SIMON. I am a special representative for the Radio and Television Daily, a publication that covers the radio and television news of the industry.

Chairman MADDEN. Will you proceed, Mr. Mitchell?

Mr. MITCHELL. Mr. Simon, you have been present this afternoon and heard the discussion of the meeting held in New York in May, 1943, have you not?

Mr. SIMON. I have.

Mr. MITCHELL. Did you participate in that meeting in New York?

Mr. SIMON. I did.

Mr. MITCHELL. Do you subscribe to the statements that have been made here by Mr. Lang?

Mr. SIMON. I do.

Mr. MITCHELL. Do you subscribe to the statements that were made in that congressional hearing?

Mr. SIMON. I do.

Mr. MITCHELL. Can you shed any further light to this committee on that particular meeting that was held in New York?

Mr. SIMON. No; I don't believe I can add any more to it with two exceptions, namely, that also present was a Mr. Fred Call, who handled publicity for the committee, and who came in at the latter part of the meeting, and a program director who was called in by Mr. Lang during the course of the meeting.

Mr. MITCHELL. What did the program director have to say there?

Mr. SIMON. He was asked by Mr. Lang how he handled his news broadcasts, and he repeated in substance the fact that he just took it off the news tickers and gave it just as it came off those tickers.

Mr. MITCHELL. And when you were present there at that meeting, were you participating in the discussion of the Katyn affair, or were you participating in the discussion of Mr. Lang's license?

Mr. SIMON. It concerned the Katyn affair and the boundaries between Russia and Poland, both subjects.

Mr. MITCHELL. When you were present, was his license discussed?

Mr. SIMON. No; it was not.

Mr. MITCHELL. When you were present at this particular meeting, the sole subject of conversation was the Katyn affair and the Polish boundary question?

Mr. SIMON. That is correct.

Mr. MITCHELL. And Mrs. Shea was present?

Mr. SIMON. Yes.

Mr. MITCHELL. Did she have any comments to make that you can recall?



Mr. SIMON. I just recall her concurring in Mr. Cranston's statements. To the best of my knowledge, she joined in that conversation. I know she was present from the beginning to the end.

Mr. MITCHELL. Thank you. I have no further questions.

Chairman MADDEN. Are there any questions?

Mr. MACHROWICZ. I have one question.

Mr. Simon, didn't you consider this request of Mr. Cranston as an attempt to gag the radio commentators?

Mr. SIMON. I did.

Mr. MACHROWICZ. Didn't you consider that to be a violation of the spirit of the Federal Communications Act?

Mr. SIMON. I did.

Mr. MACHROWICZ. That is all I have.

Chairman MADDEN. Mr. Dondero?

Mr. DONDERO. No questions.

Chairman MADDEN. Mr. Mitchell, you may proceed.

Mr. MITCHELL. Mr. Simon, did you ask Mrs. Shea what she was doing there?

Mr. SIMON. No. To the best of my knowledge, I did not. She appeared with Mr. Cranston. They were both there together.

Mr. MITCHELL. Did she give any justification for her reason for being there?

Mr. SIMON. No. There was no justification, outside of the fact that she concurred in Mr. Cranston's statement. I recall no other reason for her being there, except to be with Mr. Cranston when this discussion was taken up. She was there, as I understand it, representing the Federal Communications Commission.

Mr. MITCHELL. Would you call her presence there indirect intimidation?

Mr. SIMON. In my opinion?

Mr. MITCHELL. Yes.

Mr. SIMON. Yes.

Mr. MITCHELL. Thank you, sir. I have no further questions.

Chairman MADDEN. Are there any other questions?

Thank you for appearing to testify, Mr. Simon.

Mr. James F. Hopkins.

### TESTIMONY OF JAMES F. HOPKINS

Chairman MADDEN. Mr. Hopkins, will you raise your right hand and be sworn?

Do you solemnly swear that the testimony you are about to give the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOPKINS. I do.

Chairman MADDEN. There will be a 5-minute recess.

(At this point a short recess was taken, after which the hearing was resumed.)

Chairman MADDEN. The committee will come to order.

Mr. Hopkins, you have been sworn, have you not?

Mr. HOPKINS. Yes.

Chairman MADDEN. And did you give your name and address?

Mr. HOPKINS. James F. Hopkins, Detroit, Mich.

Chairman MADDEN. Your street address?

Mr. HOPKINS. 15865 Rosemont Road.

Chairman MADDEN. New York City?

Mr. HOPKINS. Detroit.

Chairman MADDEN. What is your business?

Mr. HOPKINS. I am the president of the Michigan Music Co., the franchise holder for Muzak in Detroit and president of the Herrans Valley Broadcasters, radio station in Ann Arbor.

Chairman MADDEN. Did you formerly own a radio station?

Mr. HOPKINS. I was the manager and part owner of WJBK, Detroit.

Chairman MADDEN. Proceed.

Mr. MITCHELL. Mr. Hopkins, have you been present this afternoon when the testimony of Mr. Joseph Lang and Mr. Arthur Simon was heard?

Mr. HOPKINS. I have.

Mr. MITCHELL. Do you concur in the remarks or the statements that they made under oath?

Mr. HOPKINS. I do.

Mr. MITCHELL. You were contacted by Mr. Joseph Lang?

Mr. HOPKINS. I was.

Mr. MITCHELL. On the subject matter of Katyn?

Mr. HOPKINS. I was.

Mr. MITCHELL. Will you speak a little louder?

Mr. HOPKINS. I was.

Mr. MITCHELL. You heard me ask Mr. Elmer Davis about an individual by the name of Mr. Lee Falk. Could you shed any light on the type of activities that Mr. Falk was engaged in, when you were the part owner of WJBK?

Mr. HOPKINS. I talked to Mr. Falk at one time in Washington relative to the foreign-language personnel. Another time he came to Detroit and suggested that I discharge certain individuals.

Mr. MITCHELL. What was his method and way of doing that? Because he was with the Office of War Information?

Mr. HOPKINS. I didn't take him too seriously and told him so in so many words, and that I didn't want any part of him.

Mr. MACHROWICZ. Why do you not get the names of the persons he wanted to have removed?

Mr. MITCHELL. Could you give us the names of the individuals he wanted removed?

Mr. HOPKINS. One of them was Leon Wyszatycki.

Mr. MITCHELL. Could you explain what position Mr. Wyszatycki had in your station at that time?

Mr. HOPKINS. He ran one of the Polish hours broadcasting over WJBK.

Mr. MITCHELL. Why did Mr. Falk want him removed?

Mr. HOPKINS. He didn't give me any concrete reasons. He just said he thought we should get rid of him.

Mr. MITCHELL. Did he mention the Katyn affair?

Mr. HOPKINS. No; I believe this was before the Katyn affair, if my recollection serves me properly. It was before that.

Mr. MITCHELL. Did you have in your employ at that time a Mr. Marian Kreutz?

Mr. HOPKINS. Not in my employ. He was broadcasting over the station, but was actually in the employ of Mr. Wyszatycki.

Mr. MITCHELL. Could you explain the connection between you and Mr. Kreutz at that time?

Mr. HOPKINS. Well, only that the station made rules as to what could be or could not be broadcast in light of the fact that we were waging a war.

Mr. MITCHELL. Did you have any direct contact with Mr. Marian Kreutz?

Mr. HOPKINS. If I insisted he be discharged for one reason or another, he would come to the office and we would see if he would straighten it out. In that regard, yes.

Mr. MITCHELL. Was he ever discharged?

Mr. HOPKINS. Yes.

Mr. MITCHELL. When? Do you recall?

Mr. HOPKINS. I can't give you the exact time.

Mr. MITCHELL. Why?

Mr. HOPKINS. We felt that he was more interested in broadcasting actual concrete news, whether that story had the proper effect on the Polish audience or not, and we were concerned on whether the story would in any way curtail the war effort of the Polish segment of the population of the area.

Mr. MITCHELL. Was Mr. Kreutz ever suspended from the air?

Mr. HOPKINS. I think he was, for several days, but not for any lengthy time.

Mr. MITCHELL. Did you, yourself, suspend him or could you tell us how the suspension was accomplished?

Mr. HOPKINS. Well, inasmuch as he was not working for me, but working for Leon Wyszatycki, I would have to call him in and tell him to do the dirty work.

Mr. MACHROWICZ. Mr. Wyszatycki rented an hour from you; is that correct?

Mr. HOPKINS. No; it wasn't—he was actually a representative of the station, but an individual contractor.

Mr. MACHROWICZ. But he had the right to employ radio commentators?

Mr. HOPKINS. That is right.

Mr. MACHROWICZ. And he employed Mr. Marian Kreutz as a commentator?

Mr. HOPKINS. Within certain dictates of the station; that is correct.

Mr. MACHROWICZ. And then you received your call from whom?

Mr. HOPKINS. From Lang.

Mr. MACHROWICZ. Stating that the nature of the broadcasts of Mr. Kreutz were not satisfactory?

Mr. HOPKINS. No; not necessarily that.

Mr. MACHROWICZ. What did they tell you about his broadcasts?

Mr. HOPKINS. He told me that there were certain stories breaking, and that it was a general consensus of the group that he has named, he in no way implicated himself, in what he said but that it was generally felt that perhaps the broadcast of this story would create such a feeling among the Polish people that it would detract from their war effort.

Mr. MACHROWICZ. Mr. Kreutz was known in the community, was he not, for his violent anti-Communist feelings?

Mr. HOPKINS. Well, he may have been, but I, of course, can't speak or understand Polish, so I can't tell you that.

Mr. MACHROWICZ. Do you know that you had been receiving complaints from certain Communist groups in Detroit?

Mr. HOPKINS. I didn't hear you, sir.

Mr. MACHROWICZ. You received complaints about the nature of his testimony from certain Polish Communist groups in Detroit?

Mr. HOPKINS. Yes; I think I did. I remember a couple of them.

Mr. MACHROWICZ. The Communists objected to the way he commented on certain news events?

Mr. HOPKINS. That is probably substantially true, but I can't remember the exact nature, apparently.

Mr. MACHROWICZ. Then these people that called you took it upon themselves to censure his broadcasts?

Mr. HOPKINS. They tried to, they would never get by with that.

Mr. MACHROWICZ. They succeeded in getting him suspended.

Mr. HOPKINS. No; I don't think they did.

Mr. MACHROWICZ. He was suspended.

Mr. HOPKINS. That is right.

Mr. MACHROWICZ. Why?

Mr. HOPKINS. I had a full-time employee, an attorney, by the name of Morris Luskin, whose business it was to check over his opinion on the effect of certain stories that were proposed to be broadcast. And it was on his recommendation that Mr. Kreutz was suspended when he was suspended.

Mr. MACHROWICZ. You were interested in maintaining good, proper connections with the Federal Communications Commission?

Mr. HOPKINS. Yes, sir.

Mr. MACHROWICZ. And when you knew the Federal Communications Commission was interested in having this man suspended you thought it would be good policy to suspend him?

Mr. HOPKINS. No; that is not true.

Mr. MACHROWICZ. You knew they objected to the nature of the broadcasts.

Mr. HOPKINS. That who objected?

Mr. MACHROWICZ. The Federal Communications Commission.

Mr. HOPKINS. No; I didn't.

Mr. MACHROWICZ. Well, when Mr. Simon or Mr. Lang called you, they told you they had talked to Mr. Cranston.

Mr. HOPKINS. I never heard of Cranston up until today or yesterday.

Mr. MACHROWICZ. What did Mr. Simon tell you?

Mr. HOPKINS. I didn't talk to Simon.

Mr. MACHROWICZ. Mr. Lang. What did Lang tell you?

Mr. HOPKINS. Lang and Simon and myself, and a few other station managers, were affiliated in the foreign-language group, who tried to keep the foreign-language broadcasts clean and aboveboard and to further the effort of the war. When Joe called me and told me that he had had a meeting with the group, and I don't think he—he may have told me but if he did tell me who he had met, I don't remember, but he did tell me he met with a group, and the culmination was as I have stated, that this story would perhaps serve the war effort better if it was not broadcast.

Mr. MACHROWICZ. Did you read the translations of Mr. Kreutz' broadcasts?

Mr. HOPKINS. Not all of the time. Mr. Luskin did, as a rule.

Mr. MACHROWICZ. Did you read the translations of those which were considered as somewhat objectionable?

Mr. HOPKINS. Yes; I think I did.

Mr. MACHROWICZ. What did you find objectionable in them, if any?

Mr. HOPKINS. Well, if a story went out in Detroit, claiming that the Russians had murdered X number of thousands of Polish officers and soldiers, it certainly would turn the, naturally, Polish audience against one of our allies.

Mr. MACHROWICZ. Was that objectionable, if the facts were true?

Mr. HOPKINS. Yes, and no. As far as the war effort is concerned, and the winning of the war, it might have had a material effect, and an adverse one. After all, the thing had occurred, as bad as it was, as atrocious as it was, the very fact that the story should be told, you can't compound an evil, and that would be exactly what happened. If the Polish people were in any way thrown away from furthering the war effort, no good would be done. Certainly the fact that they knew it couldn't bring the people back to life that had been murdered.

Mr. MACHROWICZ. Then you felt that the news, even if it may be true, of Russian guilt, should be withheld from the Americans of Polish descent?

Mr. HOPKINS. Yes, sir.

Mr. MACHROWICZ. And you felt that it was proper because if such news, even if true, was disseminated, the person who disseminated it should be suspended?

Mr. HOPKINS. I didn't say I suspended him on that cause, sir.

Mr. MACHROWICZ. What did you suspend him on?

Mr. HOPKINS. I can't tell you. That was 8 years ago or 10 years ago.

Chairman MADDEN. Any further questions?

Thank you for appearing here as a witness, Mr. Hopkins.

Marian Kreutz. Will you be sworn, Mr. Kreutz? Do you solemnly swear the testimony you give before this committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. KREUTZ. I do.

#### TESTIMONY OF JAN MARIAN KREUTZ, DETROIT, MICH.

Chairman MADDEN. State your name.

Mr. KREUTZ. Jan Marian Kreutz, 11558 La Salle Boulevard, Detroit, Mich.

Chairman MADDEN. What is your business?

Mr. KREUTZ. I am a radio news commentator, foreign language, Polish.

Chairman MADDEN. In the city of Detroit?

Mr. KREUTZ. In the city of Detroit, employed now by Station WJLB, where I am a coordinator of a Polish program and a radio news commentator.

Chairman MADDEN. Proceed.

Mr. MITCHELL. Mr. Kreutz, have you been present at the hearings this afternoon held in this room?

Mr. KREUTZ. Yes, sir.

Mr. MITCHELL. You are fully aware of the subject matter under discussion?

Mr. KREUTZ. That is right.

Mr. MITCHELL. You were a Polish commentator in Detroit in May 1943, when the Katyn affair first became known?

Mr. KREUTZ. Yes, sir.

Mr. MACHROWICZ. At that time you were with Station WJBK; is that correct?

Mr. KREUTZ. That is correct.

Mr. MACHROWICZ. Was it within the province or the scope of your duties to make comments on news events?

Mr. KREUTZ. Well, I had been advertised as a news commentator, so that naturally I should have the right to make some comments.

Mr. MACHROWITZ. Did you make any comments on your station relative to the Katyn massacre?

Mr. KREUTZ. In reference to the Katyn massacre, I would say that it followed in this order: First broke the news given by the Germans, and we gave that news without any commentary, with one exception, that we said this is an enemy source. Of course, the news was too gruesome and really didn't lend itself to any commentary. Then, a few days after, we had this Russian note to the Polish Government after the Polish Government asked for this Red Cross investigation. At that time we gave the Russian view on it, and naturally followed with the Polish view which we took from the Polish telegraph agency. That was the third service we employed. We employed Associated Press, and I believe the International News Service at the time, and the Polish Telegraph Agency, which is PAT.

Mr. MACHROWITZ. Explain what the Polish telegraph agency is; operated by whom?

Mr. KREUTZ. That is, or rather it was, an official press agency of the Polish exiled government, operated from New York, just like, let's say, Russian Tass that operates from New York.

Mr. MACHROWITZ. Then what happened? Did you make any further comments on it?

Mr. KREUTZ. Well, we didn't have time to make many comments, because it was a matter of just 10 days when we got through with those three phases of it. We had news from Mr. Hopkins, through my program manager, or program director, that we were supposed to stop using the PAT, to use only Associated Press and International News Service, and in such a way cut off all the news about Katyn.

Mr. MACHROWITZ. Was that specifically mentioned to you?

Mr. KREUTZ. That was definitely said to me, that that Katyn story had to be out.

Mr. MACHROWITZ. What happened after that?

Mr. KREUTZ. Well, after that we tried our best. We asked Mr. Hopkins if it was possible to use, let's say, press articles from American press, or maybe from the Polish press, so he said, "Well, if those articles had been published already, naturally you can use it." I mean, he didn't say this to me, he said that to the program director. I want that to be understood. So, as far as we were referring to Katyn, we were trying to take up these stories from the Polish Daily News in Detroit, or some other articles that we could find in American press.

Well, it turned out to be very unsatisfactory because the station, probably in a few weeks, I don't remember exactly the dates, objected again and said, "No more articles from any press because this is still talking Katyn," and by that time we started also picking up from

the press articles on the Polish boundaries that was the controversy that came later on. Generally speaking, this censorship fight on and off was going on for over 2 years, and finally in 1945 the day after the United States Government recognized Warsaw communistic regime, we had already come to a point where the station had put up monitors on our broadcasting. In other words, there were always two copies of the broadcast. One copy went to me and one copy to the station. If I deleted anything or if I went with a few words over the copy, the monitor would cut off my voice from the air. In other words, it was a foolproof proposition.

Well, by that time, we couldn't say anything and I was afraid that I couldn't stand any more withholding any real truth and information from my listeners, because after all a Polish commentary is a little different, probably, than American commentary. We have to have listeners, otherwise we can't stay on the air. And if we can't talk about the Polish question, then we won't have any listeners, because they can pick up any general news from somewhere else.

So on that day, the day after the Warsaw regime was recognized, I managed to put in one sentence inside of my broadcast. I just said, "Due to the existing censorship on the station, I am not going to talk any more on this microphone," and I just got up in the middle of the broadcast and walked out from the studio and I never returned to the station again. That was the end of the fight.

Mr. MACHROWICZ. Then you were not suspended?

Mr. KREUTZ. Oh, in the meantime yes, we had three suspensions. Remember, that was a span of time of about 2 years. I had been suspended three times. I have been informed by Mr. Wyszatycki that Mr. Hopkins, James F. Hopkins, told him on a certain day, I don't remember the date, that because of the fact that I didn't keep exactly to the censorship orders I couldn't go on the air. I was never out for a few days like Mr. Hopkins said. I think he just forgot the exact terms. Usually about 10 minutes before broadcast I was told "All right, you can go on again."

I think this was usually after a long conference between my director, between Mr. Konstantynowicz who was another director on that station, and Mr. Hopkins. They usually prevailed on him that he should keep me on. But it wasn't pleasant to go on the air when you didn't know 10 minutes before if you were going on the air.

Mr. MACHROWICZ. You know that there have been a number of complaints to your station from the Communist groups in Detroit with regard to your broadcasts; is that right?

Mr. KREUTZ. Yes, I know about that, and I don't know if this should go inside these hearings here, but I have got a personal feeling that the person that was actually monitoring my commentary must have been a member of the Communist Party in Detroit. I think it must have been monitored by somebody outside the station from this bunch on Chene Street, from the Communist Party. This is, of course, only my private opinion.

Mr. MACHROWICZ. Were the suspensions ever for any other reason other than your attitude against the Communist Government?

Mr. KREUTZ. No. All the suspensions were on account of either Katyn, either Polish boundaries, or the Polish relations. That was entirely on the account of those questions.



Chairman MADDEN. I might make an announcement. I have received inquiries regarding the program for today and tomorrow. The committee has three more witnesses today, and tomorrow morning the committee will meet at 10 o'clock, and we will have, as the first witness, Ex-Ambassador William Standley, former Under-Secretary of State Sumner Welles, Mrs. Mortimer, John Melby, and Averell Harriman. We will meet at 10 o'clock in the morning.

Mr. O'KONSKI. Over this station, where you were employed, were there any broadcasts in a Russian language during that period?

Mr. KREUTZ. No; I don't believe so. But there has been a half-hour program, I think it was between 5:30 and 6 in the evening—

Mr. O'KONSKI. That is what I want to ask you now. Were there any broadcasts over this station by well-known pro-Soviet or pro-Communist groups?

Mr. KREUTZ. Well, certainly there were. I was just trying to mention that. Between 5:30 and 6 I believe in the evening, there was a program they called it in Polish Promienie Prawdy, which was Ray of Truth.

Mr. O'KONSKI. Coming from the pro-Communists?

Mr. KREUTZ. Well, the only people that talked on that program were well-known Communists.

Mr. O'KONSKI. Well-known Communists?

Mr. KREUTZ. That is right.

Mr. O'KONSKI. Now let me ask you this question: Were they told and called in like you, and were they told to lay off of mentioning or commentating on the Katyn thing or on the Polish-boundary question, or did they have free sway?

Mr. KREUTZ. I would say in this way: For a long time they didn't have any trouble at all because they were giving the Russian point of view on Polish questions.

Mr. O'KONSKI. And they had no trouble at all?

Mr. KREUTZ. They didn't have any trouble in putting that point of view over.

Mr. O'KONSKI. They weren't called in and told 10 minutes before they went on the air that they could go on, no censorship?

Mr. KREUTZ. Not to my knowledge.

Mr. O'KONSKI. They could tell the Russian side of the story, and blame it onto the Germans, and they had no trouble.

Mr. KREUTZ. This is right. At the end of the period afterward, I may mention, they had been taken off the air but that was, I believe, around 1945.

Mr. O'KONSKI. They were taken off in 1945?

Mr. KREUTZ. Yes.

Mr. O'KONSKI. I remember that, because I spoke in Detroit in 1945 and they were still on.

Mr. KREUTZ. That is right.

Mr. O'KONSKI. And they took me to task for denouncing Yalta as the crime of the ages. I remember that distinctly. But doesn't it seem rather incredible to you that you, here, a good American, trying to tell the truth, trying to defend another ally far more glorious than the Russian ally, who made far more sacrifices than the Russian ally, that here you are trying to come a little bit to their defense and you

were closely scrutinized and censored, but at the same time those that went on the air to pronounce pro-Soviet lines had no trouble at all? Doesn't that seem rather incredible?

Mr. KREUTZ. That was quite incredible at first. We just didn't understand why all this censorship happened. Afterward, we came to the conclusion there must have been a strong Communist influence somewhere in Washington, because we knew it was coming from Washington somehow.

Mr. O'KONSKI. Now let me ask you another question. A statement was made here a little while ago that one of the reasons why they insisted on censoring you was because they were afraid of the effect that the truth would have on the Polish population, particularly in Hamtramck, which is about 95 percent Polish.

Mr. KREUTZ. That is true.

Mr. O'KONSKI. Do you go along with that line of reasoning, that if the Poles knew the truth that they would stop in their war effort, they would quit their factory jobs, they would quit their defense jobs, they would quit volunteering, quit dying and bleeding for their country? Do you think that is a correct estimate of the Polish population?

Mr. KREUTZ. I think that is all wrong, and as a matter of fact I remember talking to Mr. Hopkins on it many times during these 2 years that we are talking about between 1943 and 1945. As a journalist I had been a foreign correspondent for a newspaper in Warsaw, and I had been trained to get information and give the information to the people, and to believe that if the people get the information and the truth, they will always get to the right conclusions.

Now, in this case our program has been very strongly anti-Nazi before this Katyn question happened, and it remained anti-Nazi until the end of the war. My commentary with that program was in the same way. But when we found out that the Russian ally had killed so many Polish officers, we thought that this is something that should be given to the people, because this would not stop anybody from working for the war effort. I couldn't believe it, anyhow. That was Mr. Hopkins' contention.

Mr. O'KONSKI. You are so sure of the weakness of that argument. When the Polish Army was reorganized in Russia, General Anders and all of the leaders of the Polish Army, they knew that those Polish officers had disappeared, didn't they?

Mr. KREUTZ. They definitely knew it.

Mr. O'KONSKI. And still they fought on the side of Russia, didn't they?

Mr. KREUTZ. That is right.

Mr. O'KONSKI. When they were sold down the river at Yalta and stabbed in the back, they still fought, didn't they?

Mr. KREUTZ. They still fought.

Mr. O'KONSKI. Even when they knew they were handed over to Russia they still fought, didn't they?

Mr. KREUTZ. That is right.

Mr. O'KONSKI. When England was being invaded with German bombs, you heard of the Polish air brigade, didn't you, that saved London?

Mr. KREUTZ. Yes, sir.

Mr. O'KONSKI. They served on the side of Russia.

Mr. KREUTZ. They definitely did.

Mr. O'KONSKI. The Polish Army fought in Normandy alongside Russia as an ally, didn't they?

Mr. KREUTZ. That is right.

Mr. O'KONSKI. Even after they knew that their officers were massacred, they knew that hundreds of thousands of their people disappeared, they still fought alongside Russia as an ally, didn't they?

Mr. KREUTZ. That is right.

Mr. O'KONSKI. And then they come over here and they say that the reason why they censored you was because they were afraid of what Polish reaction might be if they learned the truth about Katyn. Doesn't that seem rather thin?

Mr. KREUTZ. I believe that this was the Communist line handed over to the station managers, because the station managers usually didn't know anything about the Polish politics or about Russia or about actually anything outside the United States.

Mr. O'KONSKI. Well, is it very significant that you were censored, and the pro-Communist line was not censored? It is incredible. That is all.

Mr. SHEEHAN. Mr. Kreutz, were you ever questioned by any of our Government officials from the Federal Communications Commission?

Mr. KREUTZ. No; I never had any contact with them. I don't know why, but they never asked me anything.

Mr. SHEEHAN. Were you ever questioned by any members from the Office of War Information, OWI?

Mr. KREUTZ. No.

Mr. SHEEHAN. In your discussions, you said you had discussed some of these matters with Mr. Hopkins.

Mr. KREUTZ. That is right.

Mr. SHEEHAN. Did you discuss them with him personally?

Mr. KREUTZ. Yes, sir.

Mr. SHEEHAN. Did you have any particular arguments with him about it?

Mr. KREUTZ. Well, there were a few occasions when he called up a meeting of all of the Polish broadcasters and newscasters, and he tried to tell us that—for example, I can say here on one of those meetings, and it must have been in 1944, I think, or maybe even 1945, after Yalta, he said, "Well, the Polish goose is cooked forever, and so why don't you forget it and why don't you stop worrying about Poland."

That was the beginning. Naturally after that we had a very heated discussion and I just walked out of the office. But that was about the way it was discussed.

Mr. SHEEHAN. In these suspensions that you talked about, what do you mean by suspensions?

Mr. KREUTZ. Well, in other words as I said my program director would call me up and say, "Kreutz, you are not going on the air today." You know, it takes a few hours to prepare that material. I would say, "Why," and he would say, "Well, Mr. Hopkins objects to it."

I would say, "I will come down to the station and see what is going on."

I would go down to the station and try to prepare material, and wait until about 10 minutes before broadcast and sometimes 5 minutes, and they would come in there and say, "O. K., you can go on the air; we settled the matter with Hopkins."

Mr. SHEEHAN. Maybe you can help me on this. Didn't we ask Mr. Hopkins whether he had any connection with the so-called firing of Mr. Kreutz, and he said he had nothing to do with it?

Mr. MACHROWICZ. He said Wyszatycki did the firing.

Mr. SHEEHAN. I think we ought to get Hopkins back and see if he gave this gentleman instructions, because he tells us he talked with Hopkins directly about it, and Hopkins censored the program and stopped him.

Mr. MITCHELL. Only after he was suspended or dismissed, only after he was dismissed on one occasion.

Mr. KREUTZ. Not even then. I talked to Hopkins only on certain conferences when he called up the whole staff and started to talk on the Polish question. Then I started to discuss the Polish question, because I was the one to talk about it. On suspensions and those things, whatever Mr. Hopkins was doing he was doing through Mr. Wyszatycki the way it was being done.

Mr. SHEEHAN. Mr. Hopkins led me to believe that he had nothing to do with it.

Mr. MITCHELL. No; he said he went through the program director.

Mr. SHEEHAN. But according to this gentleman's testimony he instructed the program director what to do.

Mr. MITCHELL. That is correct.

Mr. SHEEHAN. And Mr. Hopkins didn't say that. He led us to believe generally that the program director did this, is that right?

Mr. MITCHELL. No, sir.

Mr. SHEEHAN. I stand corrected. I would like to ask one more question. You said that you used the AP and UP releases with reference to the Polish situation. Were they the American AP and UP releases or those coming from Moscow?

Mr. KREUTZ. No, the American releases. Naturally the news was from Moscow in it, because on the Polish questions all of the news was coming from Moscow or from Tass.

Mr. SHEEHAN. Well, for the members of our committee Henry Cassidy brought out, when we questioned him some time ago, when he was the head of the AP there, that the dispatches they sent from Moscow were completely censored. They were only allowed to send from Moscow what the Russian Government permitted. So then, when you, as a news broadcaster or radio broadcaster, were sending out dispatches from Moscow, you were reading only what the Communists permitted to come out, because Cassidy specifically told us that anything the Russians didn't like they didn't permit to come out. So you were reading censored dispatches.

Mr. KREUTZ. Actually, if I may say, on the Katyn question in particular, anything that would come from Moscow on AP or UP or International News Service, would be purely a Russian propaganda, something I couldn't use for the Polish people because they wouldn't believe me.

Mr. SHEEHAN. Yet that is what they wanted to have you use.

Mr. KREUTZ. Yes. But the people wouldn't believe me.

Mr. O'KONSKI. One more question: The witness, Mr. Hopkins, that we had on the stand seems to be a very upright and fine, honorable man. In his defense I want to ask you this question: Do you think that he or his people under him who censored you did it of their own voli-

tion, or do you think that pressure was put on them from some outside source, that they were extremely worried about it?

Mr. KREUTZ. I would answer that in two ways: As far as Mr. Hopkins is concerned, I am quite certain that he was sick with all of that proposition, that he simply didn't know enough about the political issues, that there had been some pressure from outside on him, and he was doing it only under duress. That was the definite impression that I had. He wasn't happy with it. But, if we come to Mr. Luskin, who was mentioned by Mr. Hopkins, I would say that I would have some doubts as to the fact, if he liked it or not.

Mr. O'KONSKI. But as far as the ownership of the station was concerned, you are convinced that in all respects and he appeared so, no question about it, he is honorable and upright and that it was a great pain on his part to have to do what he did, and very likely he did it because he wanted to stay in business?

Mr. KREUTZ. There is no question about it.

Chairman MADDEN. Any further questions? I wish to thank you for testifying here, Mr. Kreutz.

Is Mr. Simon still in the room? Mr. Simon?

#### TESTIMONY OF ARTHUR SIMON—Resumed

Mr. MACHROWICZ. Mr. Simon, the Federal Communications Commission had special investigators, did it not?

Mr. SIMON. That is correct.

Mr. MACHROWICZ. Do you know of your own knowledge whether any of these special investigators questioned the foreign language commentators, investigated their background?

Mr. SIMON. To the best of my ability, to the best of my knowledge, I believe that they did.

Mr. MACHROWICZ. What do you know about their investigating the commentators of Polish origin?

Mr. SIMON. Well, I think Mr. Lang probably would have been in a better position to talk about the Polish announcers. I think he had some controversy with the Polish programs. As far as Polish programs are concerned, I think Mr. Lang is here and he would be better qualified to talk about that than I would.

Mr. MACHROWICZ. Well, can we have Mr. Lang take the stand?

Chairman MADDEN. Mr. Lang? Is Mr. Lang here? Will you take the stand, Mr. Lang.

#### TESTIMONY OF JOSEPH LANG—Resumed

Mr. MACHROWICZ. Without the preliminaries, what do you know about the Federal Communications Commission investigators questioning Polish commentators?

Mr. LANG. I remember that in New York they questioned the Polish people very, very thoroughly.

Mr. MACHROWICZ. With what in mind?

Mr. LANG. As expressed to me by one or two members who came back, who would talk about it, they seemed to want to find out just what their attitude would be if a Polish-Russian crisis came about.

They tried to find out whether they had any leanings toward being pro-Russian.

Mr. MACHROWICZ. Well, in other words, would you say that they wanted to have commentators who would be friendly or unfriendly to the Polish régime in Warsaw, the so-called Soviet-dominated régime?

Mr. LANG. That would be a very difficult question for me to answer.

Mr. O'KONSKI. In these meetings you had, Mr. Lang, was there any concern shown over pro-Communist broadcasts in the United States? Was that subject ever brought up?

Mr. LANG. No; I don't think it was.

Mr. O'KONSKI. Just anti-Communist broadcasts?

Mr. LANG. That is right. That is right. I might cite an experience—you may stop me if it is not relative—I had an organization that bought some time called the International Workers Order, who bought some time on the Polish programs, and who I thought were a fraternal and social order, as their name implies. They went on twice, on a Sunday afternoon period. But it was so filled with pro-Communist material that I had to reject them and break their contract and take them off the air, because it was so biased that it was ridiculous. In other words, as I say, I put them on the air thinking they were going to broadcast and propagate their social benefits, if one belonged to their order. But there was no criticism to any great extent that I recollect of any procommunism.

Chairman MADDEN. That is all. Thank you.

Casimir Soron.

Will you raise your hand and be sworn. Do you solemnly swear that the testimony you are about to give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SORON. I do.

#### TESTIMONY OF CASIMIR SORON, BUFFALO, N. Y.

Chairman MADDEN. If you will just sit down, Mr. Soron, and state your full name.

Mr. SORON. Casimir Soron.

Chairman MADDEN. And your address?

Mr. SORON. 346 Middlesex, Buffalo, N. Y.

Chairman MADDEN. And what is your business, Mr. Soron?

Mr. SORON. I have two businesses, one is broadcasting, buying time, I am a program director on Station WXRA, and I own a furniture store in Buffalo.

Chairman MADDEN. Proceed, Mr. Counsel.

Mr. MITCHELL. Mr. Soron, have you been present this afternoon in this hearing room?

Mr. SORON. Yes, sir.

Mr. MITCHELL. Have you heard all of the testimony that has been given?

Mr. SORON. Yes, sir.

Mr. MITCHELL. I would like to have you state briefly what your position was in 1943, and the years following.

Mr. SORON. In 1943 I was employed by radio station WBNY in Buffalo as program director and commentator.

Mr. MITCHELL. What language was that in?

Mr. SORON. Polish radio program.

Mr. MITCHELL. Will you state briefly for this committee what happened to you in the course of your engagement in that work?

Mr. SORON. Before being on the radio I used to be a newspaperman in Detroit for 8 years, with Polish, and I knew how to read news and how to commentate on it, you see. When I read the news about Russia striking Poland—well, I was commentating exactly the way it was, you see. And then when there was this Katyn case I told the public openly that everything indicates that the Russians did it because there are facts here and there that show that nobody else could do it.

Now, the owner of the station, Mr. Albertson, told me a few times I should stop talking like that, because he had instructions from Washington, he told me, that they don't like it. Now, that was going on for a few months. Then finally he told me, in fact, he showed me a letter from Washington, that they wrote to him, you see, that this has to be stopped, you know, because I am talking against our allies.

Finally, you see, he gave me 2 months' notice to continue the program. I had a big business there. I had about a \$60,000-a-year business.

Mr. MITCHELL. Were you removed from the air?

Mr. SORON. I was removed from the air.

Mr. MITCHELL. Could you tell the committee when you were removed from the air?

Mr. SORON. I was removed—he gave me notice by the end of 1943, and I stopped broadcasting early in 1944.

Chairman MADDEN. Do you know who this letter was from?

Mr. SORON. Well, I really don't remember. It seems to me it was from the Radio Communications Commission, but I am not sure. I believe he told me it was from the Radio Communications Commission.

Chairman MADDEN. Did you see the letter yourself?

Mr. SORON. Well, he showed it to me, you see, but I am not sure whether that was from the Radio Communications Commission.

Mr. MITCHELL. Is Mr. Albertson still alive?

Mr. SORON. Yes; he owns the station.

Mr. MITCHELL. Do you think he would have that letter in his possession today?

Mr. SORON. I imagine he would; yes, sir.

Mr. MITCHELL. Thank you.

Chairman MADDEN. Any questions?

Mr. O'KONSKI. Were there any pro-Communist broadcasts over the station that you were on by any pro-Communist organizations?

Mr. SORON. On the same station? No, sir; I don't believe there were any.

Mr. O'KONSKI. Were there any over any other station of foreign language in the Buffalo area?

Mr. SORON. Not that I remember.

Mr. O'KONSKI. It is very possible that Buffalo would not have very much of a Communist cell among those people. It is quite different in Detroit. I am not casting any reflections on my good brother here. You didn't have the problem over there, so that wouldn't apply.

That is all.



Chairman MADDEN. Would you be in a position to find out whether or not this person has that letter?

Mr. SORON. Well, I wouldn't be in a position because we parted very badly with Mr. Albertson on account of that.

Chairman MADDEN. You what?

Mr. SORON. We parted in a bad way, you see.

Chairman MADDEN. What is Mr. Albertson's address?

Mr. MITCHELL. I believe I have it.

Chairman MADDEN. All right. Are there any further questions? Thank you for testifying here.

Chairman MADDEN. Mrs. Hilda Shea. If you will be sworn, Mrs. Shea. Do you solemnly swear that the testimony you shall give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. SHEA. I do.

#### TESTIMONY OF MRS. HILDA SHEA, WASHINGTON, D. C.

Chairman MADDEN. Mrs. Shea, please sit down. What is your present address?

Mrs. SHEA. 4000 Cathedral Avenue.

Chairman MADDEN. Washington?

Mrs. SHEA. Washington, D. C.

Chairman MADDEN. And what is your business?

Mrs. SHEA. I am a housewife now.

Chairman MADDEN. A housewife?

Mrs. SHEA. Yes, sir.

Chairman MADDEN. Proceed, Mr. Counsel.

Mr. MITCHELL. Mr. Chairman, I would like to read a letter I received from Mrs. Shea after the invitation I extended on your behalf for her to appear before this committee. The letter is from the Westchester, Washington, the date November 8, 1952. It is addressed to me as chief counsel of this committee:

Dear Mr. MITCHELL: Before talking to you in your office, I had not reread, since 1944, the testimony that I gave in that year before the select committee appointed by the House of Representatives in the Seventy-eighth Congress to investigate the Federal Communications Commission. This testimony was given on April 18, 19, and 20, 1944, and appears at pages 3051-3059, 3063-3088, 3083-3119 of the official report of the hearings of that committee. On rereading my testimony I find, as might be expected, that my recollection in 1944 was much clearer about the events that happened in 1943 than it is now, and the reading of the transcript has refreshed my recollection on several points that you asked me about in our informal conference. If there are any inconsistencies between what I told you in our informal conference and my testimony before the House committee in 1944, and to the extent that my testimony before that committee covers details of which I no longer have an independent recollection, I believe that the testimony is to be regarded as a more reliable source of information because it was given at a point of time much closer to the events which I was discussing. While I shall be glad to assist the committee in any way I can, I am inclined to think that I am not now in a position to add anything to the testimony that I gave to the House committee in 1944, because I find that with the passage of time my recollection on many of these events has become vague. I assume that you know my prior testimony, but in the circumstances I thought I should like to call it to your attention.

Sincerely yours,

HILDA D. SHEA.

Mr. O'KONSKI. May I make just one remark. One of my prior statements where I made the remark concerning Mr. Shea, I was con-

fused with names. It was not Mr. Shea I meant, it was Mr. Cranston I meant. So will you correct the record.

Mr. MITCHELL. Yes, sir.

Mr. MITCHELL. Mrs. Shea, when did you first enter Government employment?

Mrs. SHEA. March 1934.

Mr. MITCHELL. Where were you employed at that time, and in what position?

Mrs. SHEA. At the Agricultural Adjustment Administration, as an assistant attorney, I believe.

Mr. MITCHELL. How long were you there at that agency?

Mrs. SHEA. From March 1934 to July 1935.

Mr. MITCHELL. What was your next employment?

Mrs. SHEA. At the Resettlement Administration, until I believe January 1936.

Mr. MITCHELL. In what capacity were you employed at that agency?

Mrs. SHEA. As an attorney.

Mr. MITCHELL. What was your next position in Government service?

Mrs. SHEA. I then went to the National Labor Relations Board, as an attorney.

Mr. MITCHELL. How long were you at the National Labor Relations Board?

Mrs. SHEA. With the lapse of about 9 months, I was there until the fall of 1942.

Mr. MITCHELL. You were employed as an attorney?

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. What Government agency did you go to in the fall of 1942?

Mrs. SHEA. The Federal Communications Commission.

Mr. MITCHELL. What was your employment there, as an attorney?

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. Who was responsible for your employment at the FCC?

Mrs. SHEA. Mr. Denny appointed me, I believe.

Mr. MITCHELL. Who was the counsel when you reported there?

Mrs. SHEA. Mr. Denny, Charles Denny.

Mr. MITCHELL. You have been present in the hearing room this afternoon during the course of the testimony that has been taken here today?

Mrs. SHEA. I arrived in the middle of Mr. Davis' testimony.

Mr. MITCHELL. Mr. Davis' testimony?

Mrs. SHEA. Yes, about 2 o'clock.

Mr. MITCHELL. Then you have been here through a majority of the testimony and practically all of it. Do you deny having attended that meeting in New York that was referred to by Mr. Lang and Mr. Simon?

Mrs. SHEA. No, sir.

Mr. MITCHELL. You have heard the comments that they had to make this afternoon. Would you like to make a statement in that connection?

Chairman MADDEN. In what connection? Be more specific on it.

Mr. MITCHELL. They have said that you were present at this meet-

ing in New York when a license of Mr. Lang, although up for renewal at that time, was not discussed at the meeting. Weren't you attending that meeting as an attorney for the FCC?

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. Could you explain to the committee how you came to attend such a meeting?

Mrs. SHEA. I was employed at the time as head of the Foreign Language Studies Section in the Law Department of the FCC, and part of my job, as I understood it, was to work in liaison—

Chairman MADDEN. Could you speak a little louder, please? We can't hear you.

Mrs. SHEA. Yes, sir. With my opposite numbers in other agencies handling similar problems. I am a little puzzled at this point on how far afield to go. Do you want my version on what happened?

Mr. MITCHELL. I want to know specifically. Did you know Allen Cranston?

Mrs. SHEA. I had met Allen Cranston as head of the foreign language problems in the OWI. I knew him in that capacity.

Mr. MITCHELL. Did you have many conferences with Allen Cranston?

Mrs. SHEA. Very few.

Mr. MITCHELL. Will you explain to the committee how you came to attend this meeting in New York with Allen Cranston?

Mrs. SHEA. Yes, sir. Mr. Cranston called me and said that he had been informed by letter from the OWI office in Detroit, that a broadcaster in the Polish language on a station there was upsetting the Polish population by pro-Russian broadcasts, and asked me whether, as a lawyer in the field, I knew of anything that might be done about it. I told him that the FCC itself had no power to do anything in a situation of that kind, and that the Office of Censorship in Washington had expressed no interest in problems of that kind, and the one group that might be of any assistance if it cared to be on a purely voluntary basis was the radio wartime control, headed by Mr. Simon and Mr. Lang.

Mr. Cranston then called them and made an appointment and I went along as an observer for the FCC.

Mr. MITCHELL. Why did you go along as an observer for the FCC when it was not a problem or in any way connected with the FCC, which you have just stated to the committee?

Mrs. SHEA. Well, I just told the committee that the FCC is without power to interfere in anything that is said by a broadcaster on the air. But it is interested in knowing what he says, and in how the station handles problems of the kind for purposes of evaluating the stations' use of its license. And so, I was instructed to go as an observer, purely, but not to put forward any views or suggestions.

Mr. MITCHELL. Who instructed you to go to that meeting?

Mrs. SHEA. Mr. Denny.

Mr. MITCHELL. Did you present this problem to Mr. Denny in such a way that he thoroughly understood it at that time?

Mrs. SHEA. I don't believe I am in a position to say whether he did. He seemed to. He generally is very able to understand things.

Mr. MITCHELL. Did he have access to the German propaganda broadcast on Katyn at that time?

Mrs. SHEA. I don't know, sir.

Mr. MITCHELL. They came in and they were monitored right within the FCC. FBIS, wasn't that under FCC?

Mrs. SHEA. Yes, sir. I think matters of Mr. Denny's knowledge ought to be referred to Mr. Denny. The record shows that before the conference I had asked Mr. Denny's permission to go, and the permission was expressly given. That is on page 2802, of part 3 of the House committee record.

Mr. MITCHELL. Page 2802?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. Do you refer to the record of the committee to investigate the Federal Communications Commission?

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. Mrs. Shea, notwithstanding your statement, you will recall we had that informal talk in my office, at that time you made the following statement to me. Well, I asked you this: "How did you come to get into this meeting in New York?" "Mrs. Shea: In New York?"

I said, "Yes, in May of 1943 with Cranston."

"Mrs. Shea: Well, Lang's license was up for renewal. We were inquiring about the type of material that was going out over his foreign-language radio programs. The field staff was doing a study on it, and I believe I went up there in connection with that study."

Now, this afternoon two witnesses appeared here who specifically stated that there was no discussion concerning the license at this particular meeting. Could you explain that, please?

Mrs. SHEA. Yes, sir. When you questioned me a few weeks ago I had forgotten, as I stated in the letter that you read into the record, this whole Katyn incident, and it was only after I read the record that I recalled those details. However, while I was in New York on that occasion I was at the New York offices of the FCC and I did talk over with them pending cases.

Mr. MITCHELL. You knew at the time that this meeting was set up by Cranston that this did not concern the licensing of Mr. Lang, the purpose of the meeting that Cranston arranged.

Now, Mr. Elmer Davis this afternoon, when he testified here, said that he thought that Allen Cranston was outside the scope of his duties.

Mrs. SHEA. Well, I can't comment on the scope of Mr. Cranston's duties.

Mr. MITCHELL. Don't you think that you should have inquired about the scope of his duties at the time when he brought this to your attention? You were an attorney employed by the FCC then.

Mrs. SHEA. I was concerned with the scope of my duties, sir.

Mr. MITCHELL. Don't you think that you should inquire about the scope of an individual's duties that you are going to go into a conference with, if he has the power to do that? You are an attorney. I always like to know what an attorney is going to do who accompanies me, or what the individual does, has he got the power to do it, or has he not got the power to do it.

Mrs. SHEA. Do you wish to know what assumption I made at the time?

Mr. MITCHELL. Yes.

Mrs. SHEA. I don't recall. I was questioned by Mr. Cranston as to whether the FCC had any power to do anything about his problem.

My answer was unequivocally no. He said "Well, who might?" I said "Well, if the radio wartime control wants to do anything about it, perhaps it will."

Mr. MITCHELL. All right, then, why did you go near that meeting at all is what I would like to find out definitely.

Mrs. SHEA. Well, I can answer that question.

Mr. MITCHELL. Just a minute until I tell you something.

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. You had investigators at that time who were employed in the field for that specific purpose of finding out if the radio stations were conforming with their licensing arrangement. You were an attorney, you were not an investigator. You went along on this particular meeting, after having told Cranston that this was not within the scope of the FCC's functions. I would like to know why you decided to do that.

Mrs. SHEA. Well, I went along partly because I had a problem, described here in the record, which was also without the scope of the Commission's power, and I raised that problem with Mr. Simon and Mr. Lang as well. Our field people in Texas had reported that the war-bond drives and so forth, were using the slogan "Remember the Alamo," and the persons of Mexican extraction were very incensed by this reference to a past unfortunate incident.

Mr. MITCHELL. But that wasn't raised at this particular meeting?

Mrs. SHEA. Yes, sir, at great length. Mr. Simon so testified at length. The State Department had written us about it.

Mr. MITCHELL. Where did Mr. Cranston fit in with that particular problem?

Mrs. SHEA. Not at all, sir. After Mr. Cranston had talked about the Polish problem, I said, "Here is another problem that you people at the wartime control could do something about if you wished to," and left it there.

It was a purely voluntary matter. As a matter of fact, as far as I know the control did nothing about it, and we did nothing about it.

Mr. MITCHELL. Did you participate in this discussion on the Katyn or the Polish situation in Detroit, the radio station there during this meeting, you specifically?

Mrs. SHEA. No, sir.

Mr. MITCHELL. Did you realize at that moment that by your presence there you were in the position of lending support to Cranston's position?

Mrs. SHEA. Mr. Mitchell, I did not think so, and may I tell you why?

Mr. MITCHELL. Go right ahead.

Mrs. SHEA. Mr. Lang, as he just told you on the stand, was not an ordinary broadcaster. He was very well acquainted with the scope of the authority of all of the agencies in Washington, working on the matter, and had shown complete independence of judgment and action all the way through. And he did in this case. He was not a man to be intimidated and I don't believe he was intimidated. He testified he was not intimidated.

Mr. MACHROWICZ. Let me see if I understand your situation correctly. Mrs. Shea, as an attorney you had advised the Federal Communications Commission that they had no authority to censor editorial comment?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. And that is your opinion?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. And you told them also that the only body that could do that would be the foreign-language wartime control?

Mrs. SHEA. In effect, yes, sir.

Mr. MACHROWICZ. So then, since Mr. Cranston, or Mr. Denny, wanted to do something about it, and couldn't do it legally, you suggested meeting with the Federal foreign-language radio wartime control and do indirectly what you couldn't do directly?

Mrs. SHEA. No, sir. We were unable to handle the matter, so we passed it on, openly, and without any color or pressure, to a group that could handle it if it wished to.

Mr. MACHROWICZ. Well, your desire was to control or to censor these editorial comments, and you knew you couldn't do it, so you suggested a meeting with the foreign-language radio wartime control?

Mrs. SHEA. No, sir.

Mr. MACHROWICZ. Is that not what you told us before?

Mrs. SHEA. My desire was to get the problem off my desk, into the hands of the group that could act on it if they wished to.

Mr. MACHROWICZ. And in order to see that it would be acted upon by them, both you and Mr. Cranston went to a meeting with that committee?

Mrs. SHEA. No, sir; we went there or I went there—I can only speak for myself—in order to call the matter to the attention of that body.

Mr. MACHROWICZ. Call it what you may. But now I notice you have a copy of the volume of the hearings of the committee investigating the Federal Communications Commission. I wish you would open that book to page 3076. Do you have that page?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. There, if you note, you identified a letter that was sent out on the week of May 24, 1944, as a result of that conference you and Mr. Cranston had with the foreign-language radio wartime control. Am I correct?

Mrs. SHEA. Would you read the question again, please, sir?

Mr. MACHROWICZ. As a result of the conference that you and Mr. Cranston had with the members of the foreign-language radio wartime control, this letter was sent out, which I am about to read. If you will follow me, I will ask you if it is correct:

It is urgently recommended by the officers of the foreign-language radio wartime control that news and war commentators be requested to cease, immediately, the broadcasting of editorial or personal opinion.

Am I correct in that?

Mrs. SHEA. That is what the letter says; yes.

Mr. MACHROWITZ. That is what the Federal Communications Act says you cannot do, so you passed it on to the foreign-language radio wartime control to do what you couldn't do legally yourself; am I right?

Mrs. SHEA. That is your view of it, Mr. Congressman.

Mr. MACHROWICZ. Well, you are asking them to cease immediately the broadcasting of editorial and personal opinion, and you say further this is especially hazardous in the Russian, Polish, and Croatian situation; right?

Mrs. SHEA. Sir, this isn't my letter.

Mr. MACHROWICZ. But that is the letter that resulted from the conference you and Mr. Cranston had with the members of the foreign-language radio wartime control after you advised the FCC that they couldn't do this very thing legally; am I right?

Mrs. SHEA. This is the letter that went out after that conference, sir; yes.

Mr. MACHROWICZ. And that was after you advised the Federal Communications Commission they couldn't do that very thing legally.

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. Now, you have referred to page 2802, previously in your testimony. What is that, on page 2802? Is that the letter?

Mrs. SHEA. No; this is part of the testimony of Mr. Denny, the General Counsel.

Mr. MACHROWICZ. You referred, in your testimony a while ago, to a commentator in Detroit who was known for his pro-Communist comments; is that right?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. Was his name Mr. Novak?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. And you knew about the fact that he was a pro-Communist commentator?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. He never was suspended was he?

Mrs. SHEA. Mr. Congressman, the immediate matter that occasioned Mr. Cranston's calling me, and my subsequent course of action in this connection were the broadcasts of Mr. Novak. He was the commentator in Detroit who was complained about by the local Detroit office of the OWI, and the question that was put before the radio wartime control was precipitated precisely by Mr. Novak's broadcasts.

Mr. MACHROWICZ. Did you consider his comment as derogatory to the best interests of the United States?

Mrs. SHEA. As I testified, this was Mr. Cranston's problem. Mr. Cranston put the question to the radio wartime control. I did not participate in that part of the discussion at that meeting.

Mr. MACHROWICZ. But you do know that Mr. Novak was the pro-Communist commentator?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ. Now, I will refer to that very page that you testified to, page 2802, Mr. Denny's testimony. I will refer you to what was said then, "No specific complaints against Novak's alleged communism were ever received by the Commission in Washington."

Do you find that in the third paragraph on the page?

Mrs. SHEA. Yes, sir.

Mr. MACHROWICZ (reading):

No specific complaints against Novak's alleged communism were ever received by the Commission in Washington. The Commission's field representatives who were apprised of the general situation in the Detroit area reported nothing in Novak's program—

that is, the pro-Communist program—

which could be considered propaganda detrimental to the war effort, or otherwise contrary to the public interest of the United States.

Is that correct?

Mrs. SHEA. As far as you are reading, sir, yes.



Mr. MACHROWICZ. That is Mr. Denny's testimony, is it not?

Mrs. SHEA. Mr. Denny goes on to testify further on that.

Mr. MACHROWICZ (reading):

However, in any event there was no occasion for a Commission investigation of Novak's alleged communism.

There was evidently some reason to investigate the acts of Mr. Kreutz, who was anti-Communist, but there was no occasion for a Commission investigation of Novak's alleged communism. It was a matter of public knowledge that Novak had been fully investigated by the Federal Bureau of Investigation for Communist affiliations. He had been indicted on December 11, 1942, in proceedings for denaturalization. Is that correct?

Mrs. SHEA. That is the testimony; yes, sir.

Mr. MACHROWICZ. You didn't think it was hazardous or your Commission didn't think it was hazardous to the best interests of the United States to permit a pro-Communist commentator to continue his broadcasts in Detroit, but you thought it necessary to send letters to the various radio stations warning against commentators who were anti-Communist?

Mrs. SHEA. Mr. Congressman, the letter of Mr. Lang which you previously read was occasioned precisely by Mr. Cranston's calling Mr. Novak's broadcast to the attention of the radio wartime control. And may I point out that Mr. Denny's testimony goes on to say, "Mr. Novak's program was canceled in February 1944."

Mr. MACHROWICZ. But that was by no action of the Federal Communications Commission or by the foreign-language radio wartime control, was it?

Mrs. SHEA. No, sir.

Mr. MACHROWICZ. But the broadcasts which were anti-Communist were censored and suspended because of action of the Federal foreign-language radio wartime control.

Mrs. SHEA. No, sir. I must disagree, sir.

Mr. MACHROWICZ. You heard the testimony of these two gentlemen that testified this afternoon?

Mrs. SHEA. They testified, so far as I followed their testimony, that Mr. Lang's letter suggested a policy to the stations of curbing editorial comment by both pro-Soviet and pro-Polish commentators, and that whatever action was taken against people who failed to follow the recommendation was taken exclusively by the station owners, not the Commission.

Mr. MACHROWICZ. After a little prodding by the Federal Communications Commission, right.

Mrs. SHEA. No, sir.

Mr. MACHROWICZ. Did you agree with Mr. Denny's statement that Mr. Novak, the Communist—

Mr. Novak's programs could not be considered propaganda detrimental to the war effort or otherwise contrary to the public interests of the United States?

That is the third paragraph of page 2802.

Mrs. SHEA. Mr. Denny is simply summarizing here the results of analyses made of Novak's programs.

Mr. MACHROWICZ. Of course, in his opinion, the Communists like Mr. Novak were much less dangerous than anti-Communists like Mr.

Kreutz, who tried to point out the Russian guilt of the Katyn massacre.

Mrs. SHEA. Mr. Kreutz is a radio personality I had never encountered before, sir; and I hesitate to testify at all on whether Mr. Denny knew of him or what he thought of him. I can't.

Mr. MACHROWICZ. Have I misstated Mr. Denny's analysis of Mr. Novak's broadcasts.

Mrs. SHEA. Well, I think the statement speaks for itself.

Mr. MACHROWICZ. I think so, too.

That is all, Mr. Chairman.

Mr. O'KONSKI. Now, this report that my colleague read from, Mr. Denny's report, did you have anything to do with the compiling of that report?

Mrs. SHEA. Yes, sir; I compiled part of that material.

Mr. O'KONSKI. You did?

Mrs. SHEA. Yes.

Mr. O'KONSKI. Are you positive, in your statement, that whenever you were confronted with a question of what can the FCC do about these broadcasts, are you positive in your statement that you always said as far as the FCC was concerned you were powerless?

Mrs. SHEA. Yes, sir.

Mr. O'KONSKI. I am very glad to hear that, because if it isn't that would be very bad.

Did you have anything to do with the drafting of that letter that Mr. Machrowicz read?

Mrs. SHEA. No, sir; nothing whatever.

Mr. O'KONSKI. In other words, your contention is that your position in this entire matter was one of representing the legal arm of the FCC, of that branch, and whenever you were confronted with the question of what can you do about this objectionable commentator or that objectionable commentator, your answer was always that as far as the Commission was concerned under the Federal Communications Act of 1934, they are powerless to do anything about it?

Mrs. SHEA. Yes, sir.

Mr. O'KONSKI. And to your knowledge, Mrs. Shea, you don't know, do you, of any attempt that was ever made by the FCC by you or any other employee to use the FCC to browbeat these radio station owners who discharged what they considered to be objectionable people?

Mrs. SHEA. No, sir.

Mr. O'KONSKI. That is your contention?

Mrs. SHEA. Yes, sir; that is.

Mr. MITCHELL. Mr. Chairman, I would like to interrupt for a moment. Will you refer—

Chairman MADDEN. Wait a minute. Let the Congressman finish.

Mr. O'KONSKI. Go ahead.

Mr. MITCHELL. Would you refer to part 1? You have it there, I believe. Page 603. I would like to start reading for the members of the committee. Mr. Richards is testifying before the same House committee investigating the FCC, page 603:

Mr. Howard was the head of the press section of censorship at that time. He had some discussions with the Office of War Information with regard to censorship. I am not familiar with the discussion except that it took place on the basis of whether Office of War Information was getting into our field, or whether we

were getting into their field, and what the relationship should be under the agreement we had reached.

Mr. Garey, the counsel to the committee, resumed reading, and he had this to say:

Mrs. Shea called to ask whether or not it was true that this Office had relaxed its censorship requirements among foreign-language stations by withdrawing our request for English translations. I told her we had, after consultation with Mr. Jack, of our censorship operating board. In reconstructing our conversation from that point, I am relying on notes, and there might be some slight error but the general idea is as follows: Mrs. Shea said: "If you are not to ask the managers of radio stations to examine the material on their stations, what curb will there be on opinions expressed by some of these foreign-born broadcasters?" I told her that in censorship we did not recommend any restrictions on expression of opinion, as long as such opinion did not cloak facts which would cross codes. I reproved her mildly for suggesting that there should be such censorship, and she said maybe she didn't mean opinion, maybe she meant propaganda or the Government line. "Who," she asked, "is going to force these managers to see to it that the propaganda on their stations follows the right pattern?"

"Somebody else, not us," I said.

This is a member of the Office of Censorship talking, who had written this memorandum:

She said that there was a definite shadow zone in censorship which went beyond the definitions contained in our codes, and some supervision should be exercised in this zone "for the good of the war effort and for the good of the people." I held stoutly to our function as censors for security. This bit had the melody if not the lyrics of the score that the Office of War Information sang to Mr. Howard.

"What would you think," Mrs. Shea asked, "if we in the Federal Communications Commission undertook to censor programs in this shadow zone." I told Mrs. Shea I thought she would want to mull that over a long time before she took definite action, because this office was charged with censoring. She then rephrased her hypothesis. "What if we should merely suggest to station managers that they should maintain only English translations in order to guide properly the propaganda output of their stations?"

"That is coming pretty close to dictatorship in radio."

That is a comment by the counsel.

I told Mrs. Shea that suggestion from the Federal Communications Commission might be unfortunate since it would countermand this office request, but that I wouldn't presume to advise her on what the Federal Communications Commission should do, beyond the fact that it should leave censoring to us. Mrs. Shea said the Federal Communications Commission would not attempt to censor, it would merely encourage managers to take fuller cognizance of their own responsibility. She asked me to think it over for a couple of days and see if my mind changed. I assured her it wouldn't, and she recommended she check my opinion by talking it over with Mr. Ryon.

Mrs. Shea, it seems that you were terribly interested as an attorney for FCC in the censorship problem during the course of these hearings that we have been quoting here. Now, Mr. Machrowicz has asked you was Mr. Novak removed from the air, in Detroit, the pro-Communist?

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. Was he removed?

Mrs. SHEA. He was removed.

Mr. MITCHELL. When?

Mrs. SHEA. His contract was canceled——

Mr. MACHROWICZ. You mean his contract was canceled and wasn't renewed, is that right?

Mrs. SHEA. On page 2803 of part 3 of the House committee record, Mr. Denny testified that—

on February 7, 1944, the management of the station WJBK canceled its contract with the Ray of Truth program.

That was Novak's program. Novak then sought a court injunction against this action, and he failed to get judicial relief. He also asked the Commission to intervene and the Commission replied that the matter was outside its jurisdiction.

Mr. MITCHELL. But the thing that this committee is trying to find out is this: that the subject matter referred to the Polish commentators who were also our allies at that time, who were anti-Communist. They seemed to be the ones that were having the difficulty, not Novak.

Mrs. SHEA. No, sir.

Mr. MITCHELL. I am sticking strictly on Polish. I am not speaking of Italian or anything else.

Mrs. SHEA. Mr. Denny's testimony, if you will read on page 2803 to 2804, and my testimony at the time—I can't testify on it from present recollection—my testimony at the time was that in point of fact the pro-Polish commentators continued very actively to present their point of view in many instances.

Mr. MITCHELL. And under very difficult conditions.

Now, why were you so specifically interested in the censorship policy when you as an attorney for the FCC shouldn't have been in that field, as Mr. Machrowicz pointed out from the statement of Mr. Denny, and as you, yourself, have admitted when you talked to Cranston about it. You said, "That isn't our problem." Yet here is a memorandum to an official committee of Congress, quoting members of the Office of Censorship.

Mrs. SHEA. The memorandum from which you read was a memorandum, I believe, by Mr. Richards?

Mr. MITCHELL. That is correct.

Mrs. SHEA. After numerous inaccuracies and personalities, he concluded with one of the few accurate statements in the memorandum, reasserting my recognition of the limitations of FCC authority in the field.

Mr. MITCHELL. What are you reading from? What page?

Mrs. SHEA. House committee hearings, page 604:

Mrs. Shea said the Federal Communications Commission would not try to censor. It would merely encourage managers to take fuller cognizance of their own responsibilities.

Mr. MITCHELL. And that was in the line of duties?

Mrs. SHEA. My duty was to make inquiries as to whether managers were exercising their licensing powers in the public interest.

Mr. MITCHELL. Their licensing powers, that is correct?

Mrs. SHEA. No, sir. I mean their licenses, excuse me.

Mr. MITCHELL. Their licenses.

Mrs. SHEA. Yes.

Mr. MITCHELL. Now, if I am correct in this—and maybe I am not thoroughly familiar with the operations of the FCC, I understand that they have field offices for that specific job. I understand that they also had investigators for that particular job.

Mrs. SHEA. Do you mean the FCC?

Mr. MITCHELL. The FCC.

Mrs. SHEA. May I—

Mr. MITCHELL. And they had monitoring stations.

Mrs. SHEA. Yes, sir. May I amplify that statement? The problem under discussion in this memorandum was specifically whether station managers should require English translations of foreign-language programs and monitoring of the programs, so they could see that their submitted scripts were adhered to. Now, that is a procedural problem, not related to the substance of the broadcast.

Mr. MITCHELL. I know.

Mrs. SHEA. And our inquiries as to whether the managers were doing that, I think, were well within the scope of our authority.

Mr. MITCHELL. As to procedure?

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. Not as to substance?

Mrs. SHEA. No, and that is not censorship.

Mr. MITCHELL. As to procedure.

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. That was your sole scope.

Mrs. SHEA. Yes, sir.

Mr. MITCHELL. The commentator always files his broadcast, right, what he is going to talk about on the air? It is filed? It is just as these Polish commentators had to file theirs? If they complied with what they filed, then they were in line, as far as the FCC is concerned. That is procedure, as I understand it.

Mrs. SHEA. Well, that was one of the questions we inquired into.

Mr. MITCHELL. What that commentator had to say didn't make any difference to the FCC; correct?

Mrs. SHEA. Precisely.

Mr. MITCHELL. But yet all afternoon we have been getting at the point that these Polish commentators were having their difficulties, they were suspended, they were taken off the air, all because of this meeting in New York.

Now, let me ask you a question: Why wasn't the Office of Censorship present at that meeting in New York? Were they invited to attend that meeting in New York with Simon and Lang, Cranston and yourself, by you? Did you invite them to attend? You?

Mrs. SHEA. I don't remember precisely whether I invited them to attend, but the record is clear that they were invited, and the Washington group refused to go.

Mr. MITCHELL. Why did they refuse to go?

Mrs. SHEA. Well, I don't believe I am the person to answer that question, Mr. Mitchell.

Mr. MITCHELL. Well, didn't you extend the invitation to them? You must have gotten a reason why they didn't want to go.

Mrs. SHEA. I don't recall extending it. The invitation was extended, but just now I can't recall who extended it.

Mr. MITCHELL. No further questions.

Mr. SHEEHAN. Mrs. Shea, these meetings that we have reference to over here, particularly the one that we have discussed most, the one in New York, was that meeting initiated by the OWI, or was it initiated by the FCC?

Mrs. SHEA. By Mr. Cranston.

Mr. SHEEHAN. He was with the OWI?

Mrs. SHEA. Yes, sir.

Mr. SHEEHAN. In other words, the FCC had nothing to do with initiating that particular meeting, is that correct?

Mrs. SHEA. Yes, sir.

Mr. SHEEHAN. It was at the invitation of the Office of War Information?

Mrs. SHEA. Yes, sir.

Mr. SHEEHAN. That clears up a lot of things. Did you personally have any hand in fixing the FCC policies in this respect, or were you told to go and attend that meeting as a legal representative of that division of the Federal Communications Commission? In other words, was your attendance at that meeting of your own volition or were you instructed to go by a higher authority in the Federal Communications Commission?

Mrs. SHEA. I called Mr. Denny's office, and he authorized me to go.

Mr. SHEEHAN. After you were invited by the Office of War Information to go to that meeting?

Mrs. SHEA. Yes, sir.

Mr. SHEEHAN. And you got his authority to go?

Mrs. SHEA. Yes, sir.

Mr. SHEEHAN. Did you, Mrs. Shea have any personal feelings of your own pertaining to, well, particularly the Polish-Russian controversy over Katyn? Did you have any personal feelings in that matter at all?

Mrs. SHEA. No, sir.

Mr. SHEEHAN. Did any of your feelings ever come into that matter, any of the decisions that you had to make when this matter came up?

Mrs. SHEA. No, sir.

Mr. SHEEHAN. It was purely on your standing, legal standing, representing the Federal Communications Commission?

Mrs. SHEA. Yes, sir.

Mr. SHEEHAN. Now, this meeting that was finally called, in New York, was that the result of OWI just calling the meeting, or was that meeting called as a result of some complaints that they were receiving over certain broadcasts?

Mrs. SHEA. The local office of OWI wrote Cranston saying that it had come to their attention that the Poles in Detroit were being upset by this acrimonious controversy.

Mr. SHEEHAN. That clears up a lot of things for me.

Again, as far as you know, Mrs. Shea, there definitely was not any FCC threat to hold the license-renewal proposition, which is the blood stream of the radio industry, as far as you know there was no attempt to scare them into thinking that their license would not be renewed, if they did not conform? You don't know of any such thing?

Mrs. SHEA. That is correct.

Mr. SHEEHAN. Well, did you have a feeling in these feelings that have been outlined, Mrs. Shea, that probably the OWI was going too far afield in its attempt to censor these broadcasts? That will have to be conjecture on your part. Did you, anywhere down the line, as these things developed, you yourself being a legal representative of that division of FCC, get an inkling that somewhere down the line they were trying to exert too much pressure down the line of censorship? Did that feeling ever occur to you in the developments that transpired?

Mrs. SHEA. Actually I had little contact with the OWI. My predecessors had worked more closely with them. I saw Mr. Cranston very few times, and had barely a nodding acquaintance with him.

Mr. SHEEHAN. Did you at any time get the feeling that probably the OWI, with your presence at this meeting representing a certain legal division of the FCC, didn't you get the idea that probably, unknowingly to you but purposely known to them, the fact that they had you there, that they could hold over their heads that you were representing the FCC, although you openly were not in any way connected and you told them that you had no legal authority? But didn't you get the idea that with your very presence there that probably the OWI was using you as a handle to whip these people into line? Did you get that impression?

Mrs. SHEA. Well, I might have felt that had the persons involved not been Mr. Lang and Mr. Simon. They had so repeatedly demonstrated their complete immunity from intimidation of any kind, particularly from the FCC.

Mr. MACHROWICZ. May I ask you, were there any attempts of intimidation?

Mrs. SHEA. No, sir.

Mr. MACHROWICZ. How could they show immunity from intimidation if there were no attempts of intimidation?

Mrs. SHEA. The Cox committee hearing shows that there were several disagreements on policy between the FCC and the Wartime Control, and the OWI, and the Wartime Control, and that Mr. Simon and Mr. Lang stuck to their position and carried it through every time.

Chairman MADDEN. Is there another witness?

Mr. MITCHELL. Yes; there is one, but I would like to put just one other statement in.

Chairman MADDEN. Wait a minute. Is there another witness after this one?

Mr. MITCHELL. Yes; just one.

Mrs. Shea is in Washington. We can recall her if we want to. I would like to put Mr. Richards on now.

Chairman MADDEN. Well, Mrs. Shea, you stand by just for a little while, and we will have Mr. Richards' testimony. If there are no further questions of Mrs. Shea, she can stand by.

Chairman MADDEN. Mr. Richards, will you be sworn. Do you solemnly swear the testimony you shall give before this committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RICHARDS. I do.

#### TESTIMONY OF ROBERT K. RICHARDS, WASHINGTON, D. C.

Chairman MADDEN. State your name, please, your full name.

Mr. RICHARDS. Robert K. Richards.

Chairman MADDEN. Where do you live, Mr. Richards?

Mr. RICHARDS. 3458 Macomb Street NW., Washington.

Chairman MADDEN. What is your business?

Mr. RICHARDS. I am assistant to the president of the National Association of Radio and Television Broadcasters.

Chairman MADDEN. All right, Mr. Counsel.

Mr. MITCHELL. What was your position during the wartime years?



Mr. RICHARDS. Well, during most of them I was in the Office of Censorship as the assistant to the Assistant Director in charge of broadcasting.

Mr. MITCHELL. That was the Office of Censorship?

Mr. RICHARDS. Yes, sir.

Mr. MITCHELL. Therefore you had a great deal of business or work, then, between the FCC and the OWI; is that correct?

Mr. RICHARDS. Yes, yes; of course.

Mr. MITCHELL. Will you briefly state—I know it is already in the record of the congressional committee which investigated the FCC in 1943, but I would like you to briefly summarize for the committee the difficulties that the Office of Censorship had to the extent where the problem had to be referred to the Attorney General.

Mr. RICHARDS. Well, you carry me back pretty far, Mr. Mitchell, but I will tell you as my memory serves me about the specific problem we encountered, some of which has emerged in testimony I have been able to hear this afternoon. The Office of Censorship was established by Executive order of the President, and his wartime power as the censor over domestic communications was passed along by Executive order to the Director of Censorship, Mr. Price, who in turn delegated such actions as he wished to delegate to various staff members. Censorship was established under Mr. Price's direction, and the advice of our policy-control board, domestically, among the press and the broadcasters as a voluntary effort. We established voluntary procedures for stations, for example, to follow, areas in which, as unit identification of ships sailing, the security of the Nation could be violated. Broadcasters were asked to voluntarily observe these guidepoints.

Mr. MITCHELL. That was the code.

Mr. RICHARDS. That was the voluntary code of wartime practices. In the course of establishing this system among the broadcasting stations of the country, we had one specific problem that was peculiar to broadcasting, I guess, because we were dealing with about, 150 to 200 so-called foreign-language broadcasting stations employing as many as 35 or 40 different languages. The committee may even be interested in knowing that one of those languages we encountered was Cajon, and it was pointed out to us that it wasn't a foreign language and they didn't have an alphabet. We set up these special controls in the case of foreign-language broadcasting stations. In the course of operating this voluntary system we did encounter, if I may use the term, an inclination on the part of other executive agencies, and I ascribe no ulterior motives to them, to invade the area of censorship which properly was vested in the Office of Censorship. We felt this was dangerous, not that we were jealous of our authority, but most of us being out of the public media we were zealous about what would happen to that authority after the war was over. Among the agencies where we encountered this, and I believe your record in the select-committee investigation reflects this, were the OWI and the Federal Communications Commission. As a matter of fact, at one time, the situation reached a point where Mr. Price, as Director of the Office of Censorship, asked Mr. Ryan, as assistant in charge of broadcasting, who in turn asked Mr. Bronson and me to find out what was going on, and if there was an invasion of censorship and if we were sacrificing our responsibility to some other agency, to stop it.

We did investigate it, and again I say, ascribing no motives, we did encounter an interest on the part of the other agencies in censorship, and it was stopped, in an agreement between Mr. Price and Mr. Davis, and certainly in agreement between Mr. Price and the Commission.

Mr. MITCHELL. Could you give us then a few specific illustrations, not too elaborate, but just one that you can recall, where the occasion was necessary to go to the extent of getting the Attorney General to rule, barring these other agencies from the field of censorship?

Mr. RICHARDS. Well, yes. Again this is going back quite a way, and I think the record in the select-committee investigation would be more accurate than my recollection. But I recall that at least one foreign-language broadcaster, I believe his name was Andre Luotto, was either removed from the air or his reputation was apparently somewhat damaged, as a result of the enthusiasm of people employed by agencies other than ours to enter into a consideration of the type of broadcasting that was going on the air.

By that, I mean opinion, the opinions that were being expressed. I think that is one specific case. Doubtless there are others. They must be available to you.

Mr. MITCHELL. Did a member of the Office of Censorship attend this meeting in New York with Mr. Simon and Mr. Lang?

Mr. RICHARDS. Well, if I am thinking of the same meeting that you have been discussing here, no.

Mr. MITCHELL. Were they invited to attend, do you recall?

Mr. RICHARDS. It is my recollection we were invited to attend; yes.

Mr. MITCHELL. Do you recall why you did not attend?

Mr. RICHARDS. Well, yes. We felt that it wasn't properly within the scope of our activity to discuss what should be done about a commentator, expressing an opinion on the air, unless that opinion contained facts endangering the security of the Nation.

Mr. MITCHELL. Therefore, the primary duty of censorship was in the Office of Censorship; it rested in the hands of your organization. That was determined.

Mr. RICHARDS. Absolutely; definitely.

Mr. MITCHELL. Therefore, this particular meeting in New York, to which the OC was invited, but which no member of the OC attended was—Did you hear all of the testimony this afternoon here?

Mr. RICHARDS. I came in toward the end of Mr. Lang's testimony, I believe.

Mr. MITCHELL. All right. In your opinion, on recollection today, it was in the field of censorship, because it concerned comments by a Polish commentator?

Mr. RICHARDS. Well, any time you use any method to stop freedom of speech, it enters into the area of abridging it, and that, I presume, constitutes censorship, yes. In other words, it was our assumption, gentlemen, that taking a man off the air was censorship as much as putting a blue pencil on his copy.

Mr. MITCHELL. I would like to read for the record, page 612 of the committee investigation, part I, Federal Communications Commission. Mr. Garey is talking to you.

Chairman MADDEN. When was this letter sent?

Mr. MITCHELL. This memorandum is dated May 15, 1943—

Now, you received from Mr. Bronson a memorandum dated May 15, 1943, on the further talk he had with Mrs. Shea, did you not?

Mr. Richards replies, "Yes, sir."

Mr. GAREY. That memorandum is dated May 15, 1943. It is addressed to Mr. Ryan and Mr. Richards, and it is from Mr. Bronson. The subject is, Now My Week Is Complete. It reads: "Up until 3:16 p. m. today there had been something lacking in the week's activities, and then the phone rang and it was Mrs. Shea, attorney for the FCC. She asked if I was retaining my figure—personal item—and then went on to inquire if we would be interested in the latest wrinkle between the Office of War Information, Federal Communications, and the Foreign Language Radio Wartime Control. I assured her I was the kind of a person who was interested in just an average wrinkle, but one like that was most intriguing. She went on to say that the Federal Communications Commission (herself), the Office of War Information (Mr. Cranston), and the Foreign Language Radio Wartime Control Committee (Mr. Simon and Mr. Lang) had met in New York last Wednesday for a cozy little chat on what to do about the broadcasters coming to blows over the Russian-Polish situation. It was agreed in this event that the foreign-language broadcasters would read only the news as received in the stations, via the recognized news printers, and not allow any commentary on this topic. She wanted to know if I had been asked to attend would I have gone."

Evidently they didn't, I am sorry.

"I said that most likely I would have, or that someone from this Office would have done so, but I supposed the parties involved assumed it was a discussion that did not involve censorship, therefore we weren't asked. Mrs. Shea rallied quickly by saying that it was Mr. Cranston who put out the invitation. I later learned from Mr. Ryan that we had been invited to send a representative but had declined. Mr. Ryan said Mr. Cranston had asked us to attend but due to pressure of other work, and the unlikelihood that the meeting would concern censorship, no one from this Office went. Then she said that she recalled seeing a letter by Mr. Price or Mr. Ryan urging the controversial issue should be treated quietly and not ballooned up, as it were. (She is referring here to the Russian-Polish impasse, I believe.) I said I was unfamiliar with such a letter, and then she said Mr. Marks at her elbow had just advised that the letter was signed by Mr. Ryan and would be in Mr. Ryan's files. She then said that she supposed Mr. Simon's outfit was putting out something about the New York office and was that all right with us. I said this office was not concerned with it since we had no part of the meeting, unless the bulletin crossed into censorship problems or quoted or inferred that we were a party to such a release. In the latter event, it should be submitted here. She said she didn't know just how the Foreign Language Radio Wartime Control Committee went about such things, and we both rambled along about what we didn't know. She then said that our relations, Government agencies involved and broadcasters, should be more formalized so that we would all know what was going on. Having had the feeling now for 9 months that I was trying to watch the entire field of play through a knothole, and a sturdy oak knothole at that, I agreed, as we have agreed to such things before. She then hung up on our mutual pledges of cooperation. Two minutes later at 3:31 she called back to say she had forgotten something."

That was on another subject matter other than the Polish-Russian situation.

Now, that letter in the record definitely shows that, (1) no member of OC went to the New York meeting; (2) the reason for not going to that meeting was because no censorship problem was supposed to have been involved.

Now that you have heard the testimony of this afternoon, and particularly that of Mr. Kreutz—did you hear his testimony?

Mr. RICHARDS. I was here, but I didn't hear it very well. I was in the back of the room. But I think I got it.

Mr. MITCHELL. Would you say that the subject matter was within the scope of censorship or within the scope of FCC and OWI? I am asking for an opinion.

Mr. RICHARDS. Well, I would say it is my opinion it was not within the scope of censorship. Others would have to speak as to whether or not they thought it was within their scope.

Mr. MITCHELL. I have no further questions.

Chairman MADDEN. Any further questions?

Mr. MACHROWICZ. It is your opinion that the section of the FCC attempting to control the commentaries on this matter was strictly improper, irregular, and outside of their jurisdiction, is it not?

Mr. RICHARDS. Yes, sir. Of course the Communications Act forbids censorship.

Mr. MACHROWICZ. That is right. And that was your impression at this time?

Mr. RICHARDS. It was certainly our impression that that was their intent, and that they shouldn't do it. It was our proper responsibility.

Mr. MACHROWICZ. Can you see anything that was outlined here, other than an attempt to intimidate these broadcasters?

Mr. RICHARDS. I have testified to that at some length before, Mr. Congressman, and I think that my answer is evident in the record that was previously made at the time.

Chairman MADDEN. Thank you for your testimony.

We will adjourn until 10 o'clock tomorrow morning.

(Whereupon, at 5:25 p. m. the hearing was recessed, to reconvene at 10 a. m., Wednesday, November 12, 1952.)



## THE KATYN FOREST MASSACRE

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WEDNESDAY, NOVEMBER 12, 1952

HOUSE OF REPRESENTATIVES,  
SELECT COMMITTEE ON THE KATYN FOREST MASSACRE,  
*Washington, D. C.*

The committee met at 10 a. m., pursuant to call, in room 1301, House Office Building, Hon. Ray J. Madden (chairman) presiding.

Present: Messrs. Madden, Machrowicz, Dondero, O'Konski, and Sheehan.

Also present: John J. Mitchell, chief counsel to the select committee, and Roman Pucinski, chief investigator.

Chairman MADDEN. The committee will come to order. Will you proceed, Mr. Mitchell?

Mr. MITCHELL. Mr. Chairman, the purpose of today's hearings before the committee is to put forth the documentation of the records that were in the Government agencies on the subject of the Katyn massacre and the missing Polish officers.

You will recall that yesterday Mr. Jackson said that if sufficient documentation had been available at the time of Nuremberg, the case would not have been brought up at Nuremberg. At least the hands of the United States Government, namely, Mr. Justice Jackson at that time, would have been able to prevent it or would have been strengthened.

Now, through the cooperation of the Department of State, the committee has had made available to it all of the records that have been in the file since early 1942. This morning we have as the first witness former Ambassador William Standley, a retired admiral of the United States Navy.

At the time that Admiral Standley was Ambassador, he had conferences with Maj. Joseph Czapski and General Anders, and he had instructions from the State Department to assist the Polish cause.

Admiral Standley, in the opinion of the committee staff, having carefully read all of the documentation, predicted—

Chairman MADDEN. Let him testify. That will be his testimony.

Mr. DONDERO. Let him take the stand.

Chairman MADDEN. I should think that the witness himself, if he desires to refresh his mind, can refer to the letters. We can then introduce the letters in evidence; and, if the witness desires to refresh his mind, we will be glad to submit the letters to him.

Mr. MITCHELL. Call the first witness, please.

Chairman MADDEN. Admiral Standley.

**TESTIMONY OF ADMIRAL WILLIAM H. STANDLEY, UNITED STATES  
NAVY, RETIRED, CORONADO, CALIF.**

Chairman MADDEN. Admiral, will you raise your right hand and be sworn. Do you solemnly swear that the testimony you are about to give the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Admiral STANDLEY. I do.

Chairman MADDEN. Admiral, for the record, will you state your full name, please?

Admiral STANDLEY. William H. Standley.

Chairman MADDEN. And your address, please?

Admiral STANDLEY. 862 G Avenue, Coronado.

Chairman MADDEN. California?

Admiral STANDLEY. Yes, California.

Chairman MADDEN. What is your capacity now?

Admiral STANDLEY. I am an admiral on the retired list.

Chairman MADDEN. Will you proceed, Mr. Counsel.

Mr. MITCHELL. Admiral Standley, will you please tell the committee what date you reported to Moscow as the Ambassador for the United States?

Admiral STANDLEY. I think it was the 14th of April 1942.

Mr. MITCHELL. Would you, at this time, like to make a statement to the committee of your knowledge of the missing Polish officers and the Katyn massacre, stating what efforts you made and what instructions you may have had, sir? A brief statement, if you wish.

Admiral STANDLEY. Of course, the committee will recognize that this situation occurred some 10 or 11 years ago and that, naturally, my memory is rather deficient in the facts of the case. I have told your counsel that I had made a complete statement concerning my relations with the Polish situation, including the Katyn Forest murder, and that it was published in the Naval Institute Proceedings of October. That statement, that article in the Institute contains a complete notation of my connections with the Polish situation in Moscow and the Katyn Forest murder.

Chairman MADDEN. Admiral, October of what year?

Mr. MITCHELL. This year.

Admiral STANDLEY. That was October of this year, the current year.

Now, naturally, my association or connection with the Polish situation began even before I was named as the future Ambassador to Moscow. When I went into Moscow with the Beaverbrook-Harriman mission in September, 1941, the Polish situation was being discussed there then, and I became cognizant of the general situation, the fact that the Russians had seized a great many Polish soldiers when they invaded east Poland and had taken some 10,000 Polish officers.

The effort was being made then to locate these Polish officers especially.

When I was named as Ambassador to Russia in the latter part of 1941 and when I was confirmed, I was immediately importuned by many agencies or many individuals who were interested in the 10,000 Polish officers, that is, in their location and in whether or not they were alive, and everything concerned with them.



As soon as I arrived in Moscow—I had received a briefing before I left Washington as to the questions I should take up. Even before I made my report to Mr. Kalinin, the President of the Soviet Union, I received a message from the State Department advising me that I was not to take up any of those questions that I had previously been briefed upon, a message which I didn't understand, and about which I protested immediately.

But that left me in a position where I couldn't take up the Polish question on my first interview with Mr. Molotov.

Chairman MADDEN. Who gave you those admonitions or instructions?

Admiral STANDLEY. They were general instructions and briefing from various individuals in the State Department. I think Mr. Sumner Welles was one of them, the Secretary himself. There were various other officials. I can't now recall just who they were, but they were from various individuals in the State Department.

So, as I say, I could not and I did not take up these Polish questions.

My first interview with Mr. Molotov and my first interview with Mr. Stalin—I would like to refresh my memory from this article—the first occasion when I took this matter up was in an interview with Mr. Stalin some time in April 1942. At that time I told Mr. Stalin of the knowledge I had of the missing Polish officers.

Well, let me go back. Even before that, on my way into Moscow, on arrival at Teheran, I found that there were 28,000 Polish soldiers that had been evacuated with their families and children from Russia. I inspected this camp with their children and with their people in it, and observed the terrible condition that these people, and particularly the children, were in. They were in all stages of malnutrition, some of them practically dying. It was a terrible situation, indicating the conditions under which the Poles had been existing, particularly the women and children, in Russia.

As I say, my first interview with Mr. Molotov in which I mentioned this was some time after the 14th of April. Then I advised him of my knowledge of the situation and of my interest in the Polish situation.

No satisfaction whatever was obtained from Mr. Molotov at that time, and there was only a casual mention of the fact that I was interested in the Polish question, and that I came from the United States Government, which was also interested in this question of the situation and location of these Polish officers.

At that time the interpreter, Mr. Pablov, advised me that Mr. Molotov had a question which he wished to take up with me, and that it was the desire of the American Government to set up in Moscow an American officer as liaison between the Russians and the Poles. Mr. Molotov expressed the view that he saw no reason for such liaison as the naval attachés and the military attachés were there and that the Poles had their own liaison. I knew nothing of the question, so I did nothing about that.

As you will recall, the Government had been evacuated to Kuibyshev, and the representatives there were Mr. Vyshinski and Mr. Lozovski. Mr. Molotov had gone to Kuibyshev, but had returned to Moscow. Mr. Stalin had never gone to Kuibyshev, but had remained in Moscow.

So we had to start our negotiations with the seat of government in Moscow or rather in Kuibyshev, and then go up to Moscow to get

the answer because Mr. Vyshinski and Mr. Lozovski never made any decision on anything. So we had to go to Moscow to get your answer from Mr. Molotov and Mr. Stalin. That necessitated trips back and forth.

When I went down to Kuibyshev, I met Dr. Kot. Dr. Kot at that time was the Polish Ambassador or Minister, I think he was, to the Soviet Government. Immediately began a contact with the Polish representative in regard to the missing Polish officers and men. From then on there was almost a constant conversation between Mr. Kot and myself as long as he stayed there—Mr. Kot, the Polish representative, and the Ambassador.

My next contact with the Russian authorities was on May 27, 1942, when I went to see Mr. Vyshinski. My conversation at that time with Mr. Vyshinski was along these lines: That our Government was concerned with the welfare, situation, and location of these officers and was very anxious that there should be friendly relations between the exiled Polish Government in London and the Russians, and I urged that there should be close cooperation and a greater effort on the part of the Russians to conform to the agreements they had made with the Poles in regard to the release of Polish officers and men.

There was an agreement at that time in regard to the release of these officers in order that they could serve under General Anders in the war effort. The 28,000 Polish soldiers that had been released, the troops that had been released and that I had found in Teheran later served with General Anders in the Italian campaign; and there was an understanding that more of these officers and men should be released.

My efforts in the beginning were to obtain further cooperation with the Polish Government. Then later I sought an interview with Mr. Molotov in the Kremlin.

Mr. MACHROWICZ. What was the reaction of Mr. Molotov and of Mr. Vyshinski at that time to your requests?

Admiral STANDLEY. As I expressed it then and as I have quoted, Mr. Vyshinski was silent for a long time while looking down at his hands folded on the table before him. The color flooded into the thin face. Finally he looked around at me and said, "I will present your views to my government."

Later I had an interview with Mr. Molotov, and I presented the same views to Mr. Molotov. Mr. Molotov made a long statement in reply. It was, in substance, that the Polish question was a very difficult question to deal with, that to evacuate these women and children—

At that time our Government had a proposition to evacuate these Poles from Russia and relieve the Russians from taking care of them and sending them down somewhere in Africa, North Africa, or somewhere else. That was part of my interview with Mr. Molotov at this time.

Mr. Molotov's reply was in substance as follows: "If we had evacuated the Polish women and children in the beginning, it would have been all right. But to evacuate them now would give the Germans the idea that we couldn't take care of them. It would create a disturbance, and we just feel that we are not in a position now to evacuate these women and children and soldiers."

Chairman MADDEN. Will you pardon me, Ambassador. I hand you a telegram dated Moscow, July 5, 1942, to the Secretary of State,

Washington, signed "Standley," and ask if that is the telegram that you sent to Washington as of that date?

Admiral STANDLEY. That is the telegram.

Chairman MADDEN. I will ask the reporter to mark it as exhibit 9 and insert it at this point into the record.

(The document referred to was marked exhibit 9 and follows:)

EXHIBIT 9—TELEGRAM FROM AMBASSADOR STANDLEY TO THE DEPARTMENTS OF STATE

[Paraphrase of telegram]

Moscow, July 5, 1942.

SECRETARY OF STATE,  
Washington.

In describing to Molotov the Polish evacuation project, I expressed the sincere hope of the U. S. Government that the Soviet authorities would allow the evacuation of the Polish women and children concerned. I based this on the opinion of the U. S. Government that the women and children in question could be taken care of more easily in a country where there was no fighting in progress, and also on the fact that the evacuation of these women and children would make it unnecessary for the Soviet Union to feed and care for them.

This was not a simple evacuation question, Molotov said, which would not be an important matter. The question involved was really a fundamental problem affecting the basic relations between the Soviet Union and Poland. He added that the question might have been satisfactorily disposed of if this group had been evacuated along with the first group, although there was no certainty that this would have solved the matter, since there were always difficulties where Poles were concerned. A second evacuation could create added difficulties and instability among the Poles in the Soviet Union, and unfriendly comment against the Soviet Union among the Poles in that part of Poland which was occupied by Germany, as well as in the world in general, inasmuch as it would most certainly be said that the Soviet Union was not able to feed and care for the Poles in question and therefore had to send them to Africa. Molotov said that during his recent visit to London he had suggested to Sikorski that an attempt be made to better the situation of the Poles in the Soviet Union, but he did not elaborate to me about how this should be done. Molotov said, however, that the Poles could and would be fed by the Soviet Government. He stated that he would bring our interests in the matter to the attention of his government.

Later Molotov referred to the general Polish question with a certain animosity, saying, in effect: "Since there are many too many contradictory elements concerned in Polish politics, there is always trouble whenever Polish questions arise."

Some of these elements are conducting policies unfriendly to the Soviet Union in contradiction to the policies of the London Polish Government, Molotov said, and even the sternest measures failed to subordinate these elements to Soviet law. Although other elements wished to foster friendly relations with the Soviet Government, and tried to do so, it is in general impossible to reconcile the two groups.

My impression on leaving was similar to that I received when I last discussed Polish matters with Vyshinski, namely, that the Soviet Government has a purely political view of this whole question, and that it is not influenced by considerations of humanity. It is displeased and even irritated when another power takes an interest in Soviet-Polish relations.

(Signed) STANDLEY.

Chairman MADDEN. Mr. Ambassador, if you have no further comment, I will ask you to identify a message from Secretary of State Hull to you of August 19, 1942.

Admiral STANDLEY. This is a portion of a telegram. I would like to say that this covers an interview which comes later on.

Mr. MITCHELL. The Ambassador says that he has some further comments to make apropos exhibit 9.

Chairman MADDEN. All right; proceed, Admiral.

Admiral STANDLEY. In the succeeding months after this interview with Mr. Molotov, my notes show that the Polish situation in con-

nection with the Polish military units and civilians still in Russia steadily worsened. When the Nazis and the Italians became established in Egypt that fall and almost stabbed into Alexandria, threatened the whole Middle East, the Russian Government agreed to allow three divisions of Poles and members of their families to leave Russia for the Middle East.

The Polish military authorities were trying to obtain the release of 10,000 officers whom they needed badly, but were repeatedly put off. No reasons or excuses were given. General Anders and Dr. Kot were not informed. That is hearsay; I can't testify as to that.

I was informed that General Anders and Dr. Kot were not informed that the Germans had captured the prison camps before the Poles could be evacuated or that they had been transferred to other camps or indeed anything at all as far as the Polish authorities could learn.

These officers had suddenly and completely disappeared from the face of the earth. That was shortly after my interview with Mr. Molotov.

Chairman MADDEN. About what date was that, Admiral?

Admiral STANDLEY. My interview with Mr. Molotov was after July. That was about August, I think, 1942. It was after my interview and after that telegram that I sent in regard to my interview with Mr. Molotov.

Mr. MITCHELL. Admiral, I would like to ask you this: Do you know who made the decision to forget the idea of having Colonel Szymanski go to Moscow as the liaison officer?

Admiral STANDLEY. The decision came through a telegram from the State Department. I don't know who made the decision.

Mr. MITCHELL. Thank you, sir.

Admiral STANDLEY. A telegram of that kind always came, of course, from the State Department; so, I presume the Secretary of State made the decision.

Chairman MADDEN. Admiral, we will mark this exhibit 10, and I will ask the court reporter to insert exhibit 10 at this point in the record.

(The document referred to was marked "Exhibit 10" and is as follows:)

#### EXHIBIT 10

##### PORTION OF MESSAGE FROM SECRETARY OF STATE HULL TO THE AMERICAN AMBASSADOR AT KUIRYSHEV OF AUGUST 19, 1942

\* \* \* On instructions from the Polish Government, the Polish Ambassador in Washington has asked the President's intervention with the Soviet Government in order to effect an improvement in Polish-Soviet relations. \* \* \*

\* \* \* Referring to the hope which he expressed on several occasions that the Soviet Government would find it possible to interpret as liberally as circumstances would permit its agreements with the Polish Government, the Ambassador particularly mentioned the desire of the Polish Government to restart recruiting of its nationals in Russia for the Polish armed forces and also to the desire for the release of some five to eight thousand Polish officers who are reported still held by the Soviet authorities. \* \* \*

\* \* \* You are therefore authorized to raise with the Soviet authorities the question of Soviet-Polish relations. You should point out that this Government hopes that the spirit of collaboration evidenced in the removal to the Middle East of additional Polish divisions may be promoted to the utmost and that there will be found for the various problems mutually beneficial solutions. \* \* \*

**Mr. MITCHELL.** Now, Admiral, you have told us that they were forming the Polish Army in Russia at that time. Can you tell us something about the formation of that army that you may have found out from your discussions with General Anders and Dr. Kot?

**Admiral STANDLEY.** My only information in connection with that was very general. I have no detailed knowledge of the military set-up or organization except through my conversation with Dr. Kot.

Now, I would like to inject there as part of this, before I get to that message, what was happening in the interim. The Polish situation, as I stated, was definitely worsening, as was the question of the Polish representatives receiving Polish supplies that were being sent in for the Polish citizens into Murmansk and into Archangel. The Soviet authorities eventually seized those officials and finally got rid of all of them, and there was no one there to represent the Polish interests in receiving goods that were sent in for the Poles.

Our representative there endeavored to take that over, but he eventually found that the problem was one that he couldn't handle. So that was part of the situation.

The Polish situation was worsening up to the time this message was sent. Then I have this message in August 1942, when I received the dispatch that you have just read. I have quoted here extracts from that dispatch. Shall I read that?

**Mr. MITCHELL.** Yes, sir, if you please.

**Admiral STANDLEY.** In August 1942, I received a dispatch from our State Department, the conclusion of which may be paraphrased as follows. I am not quoting, but rather paraphrasing. [Reading:]

The question of Polish-Soviet relations may be brought up at your discretion with the Soviet authorities. While the United States Government does not wish to interfere in this matter, you may point out it nevertheless hopes that the splendid collaboration shown in transferring additional Polish divisions to the Middle East may be furthered to the maximum. It is also hoped that solutions which are mutually beneficial may be found for the various problems under discussion.

At the same time, it is realized that only direct negotiations between the two governments involved can effect a solution of some of these extremely complicated problems.

That is the end of the paraphrase.

**Chairman MADDEN.** Will you proceed, Mr. Sheehan.

**Mr. SHEEHAN.** Ambassador, just to get the situation straight, as I understand, when you left Washington from Moscow you were given instructions to be concerned with Polish affairs. After you got to Moscow, as you said, you got instructions not to pay any attention to Polish affairs.

**Admiral STANDLEY.** It didn't mention Polish affairs specifically.

**Mr. SHEEHAN.** The missing officers?

**Admiral STANDLEY.** When I was being briefed I was given information on matters that I should take up, and the Polish question was one of them. When I got to Moscow and before I submitted my credentials in Moscow, I received a telegram from the State Department saying that I was not to take up any of these questions that I had been briefed on before I left. They didn't mention the Polish question specifically.

Mr. SHEEHAN. Then in 1942, according to the telegram that you just read, you got instructions to go forward with the Polish question; namely, the Polish officers?

Admiral STANDLEY. Yes.

Mr. SHEEHAN. Now, did they give you any information as to why they were interested in the Polish officers at that time? Was it for humanitarian reasons or was it for military reasons?

Admiral STANDLEY. They were interested both from the standpoint of the military as well as because of the humane reason of getting the Polish citizens out.

Mr. SHEEHAN. In other words, we had now reached a position where we needed the Polish divisions and thereby needed the officers to man the divisions; is that right?

Admiral STANDLEY. That is as I understood the message to me; yes.

Now, in order to get that message across, I sought an interview with Mr. Lozovski, and I met Mr. Lozovski on September 9, 1942.

Mr. MACHROWICZ. Will you explain who Mr. Lozovski is?

Admiral STANDLEY. Mr. Lozovski was one of the Soviet Foreign Office representatives in Kuibyshev. As I previously stated, Mr. Vyshinski and Mr. Lozovski remained in Kuibyshev as the representatives of the Soviet Government. So, I sought an interview with Mr. Lozovski, which was granted on September 9, 1942.

In that interview, as I stated in the paraphrase, our Government stated that they did not want to interfere. Mr. Lozovski came right back and said, "This is the best thing that the American Government could do."

In furthering the purpose as expressed in that paraphrased message, I still pressed the question of the status of the Polish relief and that of the 180 Polish officers that had been delegates and who had been arrested in Murmansk and Archangel. Mr. Lozovski again came right back bluntly and said, "This work can be carried on by the remaining delegates in a perfectly satisfactory manner. There were too many delegates in the first place. We can't have a bunch of hostile Poles running all over the Soviet Union unsupervised."

Again I expressed to Mr. Lozovski the hope that they could collaborate with us further.

Chairman MADDEN. I will ask the reporter to mark this document "Exhibit 11", and I will ask the admiral if he can identify it. It is a message from the Secretary of State.

(The document referred to was marked "Exhibit 11" and is as follows:)

#### EXHIBIT 11

#### PORTION OF MESSAGE FROM THE SECRETARY OF STATE TO THE AMERICAN AMBASSADOR AT KUIBYSHEV, DATED SEPTEMBER 5, 1942

Mr. Willkie was requested by the President to consult with you and Mr. Henderson and then express to Stalin the American Government's hope that all efforts will be made to effect an improvement in Polish-Soviet relations. \* \* \*

The Polish Ambassador today asked whether there had been any representations for the release of "3,400" Polish officers who are reportedly still held by the Soviet authorities in Arctic areas. You may make these representations together with Mr. Willkie or separately. \* \* \*

Mr. MITCHELL. Admiral, can you tell us something about what transpired at that time? How did Mr. Willkie get into this picture?

Admiral STANDLEY. As I stated in that message which I recognize as one received from the State Department, Mr. Willkie arrived in Moscow with his staff, I think, on September 17. I immediately took Mr. Willkie to call upon Mr. Molotov. At that meeting Mr. Molotov was asked to arrange for a meeting of Mr. Willkie and Mr. Stalin, to which he agreed. As we were leaving, Mr. Willkie said to Mr. Stalin, "How will I be informed of that meeting?"

Chairman MADDEN. Not to Mr. Stalin?

Admiral STANDLEY. To Mr. Molotov, "How will I be informed of that meeting?"

Mr. Molotov replied, "You will be informed through the American Embassy."

I waited for some time. In the meantime Mr. Willkie's plans had been made so that he could visit certain plants, and one morning we were to go out to visit an aircraft battery. Before leaving—I had left Eddy Page behind; Eddy Page was my State Department representative who spoke Russian fluently—I said to Eddy, "I am going to accompany Mr. Willkie to this aircraft battery, and, if they have not heard anything about Mr. Willkie's interview with Mr. Stalin, I want you to make an appointment for me to see Mr. Molotov, because I don't understand the delay. When a special representative from a foreign government arrives here and asks to see Mr. Stalin, I don't understand why there is this delay."

So, I went over to Mr. Willkie's residence, the residence that is kept there for Americans. They had a guard at the door, a Russian who spoke English. When I went in and asked Commander Peale, who was Mr. Willkie's brother-in-law and who had accompanied him, whether Mr. Willkie had received any word about a visit with Mr. Stalin, Commander Peale replied "No."

But the man at the door had said, "Oh, yes, Mr. Willkie has information. He is going to see Mr. Stalin tonight."

That was the first I had heard of Mr. Willkie's visit to Mr. Stalin. Later I understood that this meeting was arranged by Mr. Joe Barnes, who accompanied Mr. Willkie, and through some of the Reds over there, the reddest of the Reds, Mr. Omanski, and Mr. Lozovski and some of those other Red Russians. They had arranged for this meeting with Mr. Willkie.

So, I promptly telephoned Page to never mind, that the meeting had been arranged. On the way out I said to Mr. Willkie, "I understand that you have received an invitation to call on Mr. Stalin. You remember that you were informed that you would get that information through the Embassy, but I have received no information about it, Mr. Willkie. I wonder if you had anything to do with this interview?"

His reply was, "No, I had nothing to do with it."

Then I said, as this had been arranged for Mr. Willkie entirely without my knowledge, "I presume that I am not supposed to go with you?"

Mr. Willkie said, "That is correct. You are not supposed to go."

I said, "Well, Mr. Willkie. I am going to make some inquiries about that, because I can't understand how the Ambassador has been bypassed here by a special representative, and I want to know why."

"Oh," he said, "Admiral, you mustn't do that. I think you are a big man, but, if you do that I think you are a little man."



I give you that because that in a sense describes my relations with Mr. Willkie during his time there. He entirely bypassed me, and later on he went to see Mr. Stalin. They brought Mr. Barnes and Mr. Coles in and had their pictures taken together, from which, of course, the Ambassador was excluded. Their whole attitude there was one to discredit the American representative in the Soviet Union. Those were really my relations with Mr. Willkie while he was there.

Now, after that interview, Mr. Willkie was leaving the next morning at 4 o'clock to go to the front. So, about 11 o'clock at night he called me up and asked if he could come back and tell me what Mr. Stalin had said.

I said, "Well, Mr. Willkie, it is too late now. You are going to leave at 4 o'clock. Tell me when you come back."

So, when he did come back he came over and gave me some information and then told me that he had received some other information which was so secret that he couldn't even tell it to the American Ambassador.

As a result of this whole episode of Mr. Willkie, I asked the State Department to bring me home for consultation in that the situation had gotten sort of out of hand and I felt that I needed some evidence of confidence in the representative from the President of the United States if I were to remain in Moscow. So, I came home for consultation.

Mr. MITCHELL. When did you come home, sir?

Admiral STANDLEY. I left there in September of 1942. I am sorry. That should be October 10, 1942. I came home then. I went back in January and reported back on January 6, 1943.

Mr. MITCHELL. Mr. Chairman, at this time I would like to introduce this document.

Mr. DONDERO. While the Chairman is looking that over, may I ask the admiral whether all of this took place in Moscow or in Kuibyshev?

Admiral STANDLEY. It was mostly in Moscow. You are getting me into a long story, Mr. Chairman.

Mr. DONDERO. Don't blame the chairman. It was me that asked the question.

Admiral STANDLEY. Oh yes, you, Mr. Dondero.

Mr. Willkie's controversy, or rather the controversy with Mr. Willkie started before he even got into Moscow. When he arrived in Turkey I received a message from Mr. Willkie stating that he did not want to go to Kuibyshev but that he did want to come to Moscow. He wanted to come direct to see Mr. Stalin. I replied that the seat of government was in Kuibyshev.

Mind you, I had already made application for visas for Mr. Willkie to enter, and I had told the Russian authorities of his coming. They had made plans and had arranged for him to visit state farms, collective farms, factories, and had arranged quarters for him in Kuibyshev. So I replied to Mr. Willkie that the seat of government was in Kuibyshev and that there was the proper place for representatives of foreign governments to make their entry, stating that "The Soviets have made plans for your visit here, and unless you have instructions which are contrary to those I received when I obtained your visas, I insist that you come to Kuibyshev."

So Mr. Willkie then came to Kuibyshev, under protest.

Chairman MADDEN. This is off the the record.

(There was a brief statement off the record.)

Chairman MADDEN. I will hand you exhibit 7.

Mr. DONDERO. Just a moment. Admiral Standley, I have one question. What was the purpose of Mr. Willkie's visit to Moscow or to Kuibyshev? Was it a visit on the part of a representative of the Government or was it a personal visit of his own?

Admiral STANDLEY. Do you want my opinion or the statement made by the State Department?

Mr. DONDERO. I want whatever is the fact.

Admiral STANDLEY. There are two facts. There are the facts made by the State Department's message when it came in. The other facts are my opinion based on what happened while he was there. Now, which do you want?

Mr. O'KONSKI. Tell us both.

Mr. DONDERO. Whatever the truth is.

Admiral STANDLEY. The State Department stated—and, of course, this is 11 years ago and my memory may be a little bit faulty—but, in effect, the State Department said, "Mr. Willkie is contemplating a visit to the Middle East to mingle among the people and see for himself and get for himself information from the people as to their attitude toward the war effort. In that connection Mr. Willkie would like to visit Moscow, and I request that you obtain visas for Mr. Willkie to enter Moscow."

Then it continued: "Mr. Willkie was my opponent in the last campaign. Mr. Willkie received a large number of American votes. But Mr. Willkie is now interested in getting on with the war effort, and I feel that this visit will further the war effort. So I would like you to furnish every opportunity for Mr. Willkie to accomplish the purpose for which he is coming there."

Now, that was practically the statement on the basis of which he came. He was a special representative of the President. That is the way he was spoken of.

Mr. Willkie came to Kuibyshev under protest, as it were. We made a trip up the river. I took him about 50 miles up the Volga River to a state collective farm, and so forth. At that time Mr. Willkie was talking about the second front practically everywhere he went. Nearly everyone he spoke to would come right back, "Mr. Willkie, how about this second front?"

Now, after I had insisted that Mr. Willkie come to Kuibyshev, he acquiesced and came to Kuibyshev. But he said in his message, "There will be no interviews and no press releases from Kuibyshev."

When it came to the newspaper boys, the only one who came down was Shapiro. Eddy Gilmore didn't come and none of the other newspaper boys came. Apparently they had the idea that Mr. Willkie was going to Moscow. So as long as they didn't come, Mr. Willkie obviated the question of the press release by saying that there would be no press releases from Kuibyshev.

Later on, as was the custom at that time whenever a special representative of the President came, as Mr. Willkie was, when they had completed their mission, Mr. Stalin gave him a Kremlin banquet. It was at this Kremlin banquet that one of the representatives of Mr. Willkie, after we had left the banquet room and had gone out into the smoking room and were sitting around the table—and at that table

was Mr. Stalin, Mr. Willkie, Mr. Molotov, Mr. Vershilov, General Bradley, and myself, and one other whose name I can't recall now.

Mr. Coles and Mr. Barnes were sitting over at another table. One of them pointed over and said, "There is the next President of the United States."

From the events that happened there it was my opinion that Mr. Willkie was over there furthering his political fences rather than primarily for the Government's interests. Now, that was my personal view of the situation.

Mr. MITCHELL. Mr. Chairman, may I now introduce exhibit 12?  
Chairman MADDEN. Yes.

Mr. MITCHELL. This is a portion of the message from the Ambassador at Kuibyshev dated September 10, 1942.

(The document referred to was marked "Exhibit 12" and follows:)

#### EXHIBIT 12

##### PORTION OF MESSAGE FROM THE AMERICAN AMBASSADOR AT KUIBYSHEV DATED SEPTEMBER 10, 1942

\* \* \* On a number of occasions I have, as instructed, taken up with Soviet authorities different Polish problems such as the evacuation of children, recruitment for the army, the release of five thousand to eight thousand Polish officers, relief, and the question of moving soldiers together with their families from Tashkent to Iran.

As instructed, I have said that my government did not desire to interfere in Polish-Soviet relations. Early in July, I reported that Molotov was considerably irritated when I spoke of the Polish question. Yesterday when I again said my government did not wish to interfere in Soviet-Polish relations Mr. Lozovski remarked, "that is the best thing for it to do."

\* \* \* It is my judgment that Mr. Willkie or other representatives should approach the Premier in a firm and frank manner and as a party in interest and not apologetically. The attitude might be expressed that the friction which has developed between officials of the two governments, i. e., Polish and Soviet in the Soviet Union is distressing to our government and that friction of this kind between allies will be detrimental to our cause and will profit Hitler; that the President therefore wants it frankly stated that our government hopes both parties will make every effort to resolve their problems generously and in a friendly manner, realizing that knowledge of the dispute in the hands of the Axis will be a valuable weapon; that a review by both parties of the problems can, the President is confident, lead to an understanding provided there is present a spirit of good will and mutual confidence. \* \* \*

Mr. MITCHELL. Now, Admiral, that message is from you, dated September 10, 1942. Did Mr. Willkie approach the Premier in a firm manner?

Chairman MADDEN. Wait a minute. You might ask the admiral if that is the message he sent?

Admiral STANDLEY. Yes; that is the message I sent.

Mr. MITCHELL. Now, did Mr. Willkie approach the Premier, by whom I assume you mean Mr. Stalin, in a firm and frank manner, and as a party in interest and not apologetically, to your knowledge?

Admiral STANDLEY. I have no knowledge of Mr. Willkie's attitude when he approached Mr. Stalin because I was not there. Later, before Mr. Willkie left, and in an effort, as I told him, to be put into the position of knowledge of the questions which he had taken up with Mr. Stalin so that I could carry on, I asked him what had developed, what had happened between him and Mr. Stalin.

The answer that I got was that "I have told you some of it, but the rest of it is so secret that I can't even tell you."

So I got very little information from Mr. Willkie about what happened between him and Mr. Stalin.

Mr. DONDERO. Mr. Chairman, unless the visit of Mr. Willkie can be connected up with the Katyn massacre, it seems to me that the whole matter ought to be expunged from the record. I cannot see the slightest relevancy between Mr. Willkie's visit—and this is no reflection on you, Ambassador—but unless it can be connected up so that it is in some way associated with the Katyn massacre, it has nothing to do with the picture at all, and ought to be stricken from this record.

Mr. MACHROWICZ. Mr. Chairman, I disagree. I think we should have the entire picture. A lot of this matter may have no direct bearing on the Katyn affair, but it certainly has an indirect bearing; and I don't see how we could get a complete picture without having the Willkie incident in the record.

Mr. DONDERO. Unless you can associate it in some way, I shall ask—

Mr. MACHROWICZ. It has already been associated. The matter of the missing Polish officers was at issue at this time.

Mr. DONDERO. That might have been an issue at that time, but what did Mr. Willkie have to do with it?

Mr. MACHROWICZ. I think it has already been established that the question of the missing Polish officers was an issue that was discussed at the time, and the messages between the American Ambassador and the Department of State indicate that. I see no reason why the fact that it happened to be Mr. Wendell Willkie should mean that that should be excluded from the record. With all of the rest of it included, that would give us a very incomplete picture.

Mr. DONDERO. Well, I still insist that there is the question of relevancy. The subject of Mr. Willkie's visit there had nothing to do with the Katyn massacre at all. He was not a representative of the Government.

Mr. MACHROWICZ. Oh, yes; he was a representative of the Government.

Mr. DONDERO. I did not so understand.

Mr. MACHROWICZ. Was he a representative of the Government, Admiral?

Admiral STANDLEY. I have so stated, that is, that he represented the President of the United States and was so treated.

Chairman MADDEN. Admiral, does this testimony that you are presenting lead up to the Katyn controversy or the Katyn question in any way?

Mr. MITCHELL. Did you discuss the Polish situation with Mr. Willkie?

Admiral STANDLEY. Yes; I discussed the Polish situation with Mr. Willkie and the efforts that I had made. I discussed that with him.

Chairman MADDEN. I think the admiral should proceed.

Mr. MITCHELL. May I have this document marked as "Exhibit 13"?

Admiral STANDLEY. I would like to add, gentlemen, that Mr. Willkie's visit and the fact that he had entirely bypassed the American Ambassador made it difficult for me to continue the discussions in regard to the Polish situation.

Mr. MACHROWICZ. That is with regard to the missing Polish officers?

Admiral STANDLEY. Yes; with regard to the missing Polish officers, because I did not know what Mr. Willkie had said to Mr. Stalin and what Mr. Stalin, in turn, had said to Mr. Willkie.

Mr. DONDERO. Did he mention that subject to you?

Admiral STANDLEY. I asked him in regard to it, and he stated in regard to the Polish question, "I have other matters that are so secret that I can't tell you about them."

Mr. MITCHELL. Mr. Chairman, I would now like to introduce exhibit 13.

Admiral, this is a report from the Ambassador in Moscow regarding Mr. Willkie's conversation with Stalin concerning the Polish situation.

(The document referred to was marked "Exhibit 13" and follows:)

#### EXHIBIT 13

##### REPORT FROM THE AMERICAN AMBASSADOR AT MOSCOW REGARDING MR. WILLKIE'S CONVERSATION WITH STALIN CONCERNING THE POLISH SITUATION

Mr. Willkie called at the Embassy on September 25 (1942) and informed the Ambassador that he had taken up the Polish question with Mr. Stalin along the line that had been indicated in the Department's telegram of September 10, pointing out particularly that it was in the common interest of the United Nations that there should be the maximum cooperation and the least possible cause for friction between the different nations fighting against the Axis, that Mr. Stalin had asked specific questions in regard to the Polish complaints but that he had replied that he did not wish to argue the details of the case. Mr. Stalin finally said that he would be willing to discuss the Polish question with Polish officials with a view towards ironing out existing difficulties.

Mr. MACHROWICZ. When you refer to the Polish question, you refer to the question of the missing Polish officers, do you not?

Admiral STANDLEY. I couldn't say definitely that I did, but, as a matter of fact, the Polish officers were always in the foreground.

Mr. MACHROWICZ. That was the most important problem that caused the differences between the Polish Government and the Russians?

Admiral STANDLEY. Yes.

Chairman MADDEN. I believe the admiral's testimony is apropos.

Mr. DONDERO. If the admiral states, as he now states, that it had to do with the missing Polish officers, I have no objection. I just wanted the thing straightened out. That was all.

Admiral STANDLEY. It had so much importance that immediately upon Mr. Willkie's leaving I asked to be sent home for consultation because the situation, as a result of Mr. Willkie's visit, had developed to the point that I felt I could no longer remain there without further evidence that the Department had confidence in me and wanted me to continue.

Mr. DONDERO. There is one question I want to ask. Did you discuss this Polish question—and I refer to the missing Polish officers—with Stalin up to that time?

Admiral STANDLEY. I don't think I ever discussed the Polish question with Mr. Stalin. It was always with Mr. Molotov. I don't recall that I ever discussed it with Mr. Stalin.

Mr. DONDERO. Now, at the time you discussed it with Mr. Molotov, was a man by the name of Beria, who was the head of the secret police of Russia, present, or any other officer of that organization?

Admiral STANDLEY. Not obviously present, but many times they are present when you don't know about it.

Chairman MADDEN. What do you mean by that, Admiral?

Admiral STANDLEY. Well, you always have somebody around when you are in Russia. There are always some NKVD boys around. Sometimes, though, you know where they are, and sometimes you don't. So I can't say when they were there.

Chairman MADDEN. You mean that they were concealed some place?

Admiral STANDLEY. Yes, probably concealed or in a room where they could hear. That is one of the conditions in the Soviet Union as has been described by Bedell Smith, by Kirk, and by everybody else. The American Ambassador is always followed by the NKVD boys.

Mr. MACHROWICZ. Now, Admiral, one matter that we are particularly interested in is to know whether or not the Department of State or the Department of Defense or any other governmental agency had information in 1942, 1943, and in 1944 regarding the missing Polish officers. I want to ask you in connection with that whether you, on February 7, 1942, transmitted to the Department of State a report by Major Czapski with regard to these missing Polish officers.

Admiral STANDLEY. I was not in Moscow at that time. I was not there at that time. I was in Washington.

Chairman MADDEN. Show this to the admiral and see if he can identify it.

Mr. MACHROWICZ. Can you identify that photostatic copy?

Admiral STANDLEY. No, sir.

Mr. MACHROWICZ. Who was your predecessor?

Admiral STANDLEY. Ambassador Steinhardt,

He may not have been there, because Steinhart came out and the counselor was Walter Thurston, and he might have been chargé d'affaires at that time. I am not sure.

Mr. MITCHELL. Admiral, when did you report to Moscow as the United States Ambassador?

Admiral STANDLEY. In April 1942. It was April 14 I presented my credentials and became the Ambassador. I presented my credentials to Mr. Kalinin of the Soviet Republic and became the Ambassador.

Mr. MITCHELL. When you were being briefed by the Department of State officials, as you told us this morning, before you went over there, I assume that would be in February 1942, since you reported in April of 1942?

Admiral STANDLEY. I cannot recall just the date that I was confirmed here, but I was confirmed by the Senate here before I reported to Moscow, and I remained in Washington here until February 1942.

Mr. MITCHELL. But you were being briefed by the State Department officers as to what your functions and duties were going to be, were you not?

Admiral STANDLEY. Yes.

Mr. MITCHELL. Were you ever shown this message at that time?

Admiral STANDLEY. I do not recall ever having seen any messages of that kind.

Mr. MITCHELL. Mr. Chairman, this is an official State Department document dated February 7, 1942, with no signature. It comes from the Foreign Service of the United States of America, American Embassy, Moscow, U. S. S. R., February 7, 1942, subject, "Transmitting memorandum concerning Polish prisoners of war in the Soviet Union."

We have already received the information contained in this document on the record in our hearings. The import of this whole thing is that before Admiral Standley went to Moscow, this was in the files of the Department of State.

Chairman MADDEN. Admiral Standley could not identify it.

Mr. MITCHELL. He said he never saw this before he went over there. Certainly a man who was going to represent the United States Government—

Chairman MADDEN. I would like to have that identified if you want it in the record here.

Is that already in the record?

Mr. MITCHELL. No.

Chairman MADDEN. If you can identify it we will submit it for the record.

Mr. MACHROWICZ. Mr. Chairman, may I suggest that probably we have Mr. Brown, of the Department of State, identify this instrument, and then Admiral Standley can continue his testimony. That will save a lot of time.

#### TESTIMONY OF BEN H. BROWN, JR., ACTING ASSISTANT SECRETARY OF STATE FOR CONGRESSIONAL RELATIONS

Chairman MADDEN. Mr. Brown, will you state your full name, please?

Mr. BROWN. Ben H. Brown, Jr.

Chairman MADDEN. And your address?

Mr. BROWN. 3501 North Edison Street, Arlington, Va.

Chairman MADDEN. May we have the capacity in which you are acting here?

Mr. BROWN. I am Acting Assistant Secretary of State for Congressional Relations.

Chairman MADDEN. Will you raise your hand and be sworn, please?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BROWN. I do.

Chairman MADDEN. You may submit that copy to Mr. Brown, counsel.

Mr. MITCHELL. Mr. Brown, will you kindly identify that document for the committee, please?

Mr. BROWN. Mr. Chairman, this is a photostatic copy of a dispatch from the American Embassy in Moscow, dated February 7, 1942.

I am identifying this on the basis of my knowledge of the original of this document in the Department's files, and the fact that it was on my instruction that this document was photostated and the photostatic copy turned over to the committee.

Chairman MADDEN. What is that document?

Mr. MITCHELL. Whose signature appears on that document?

Mr. BROWN. Mr. Chairman, I will have to look at the original of the document to determine whose signature appears on it. I would assume it was the chargé d'affaires or the Ambassador at the time.

Mr. MACHROWICZ. As far as this committee is concerned, I do not think it is tremendously important who signed the document. The fact is that on February 7, 1942, the Department of State did receive



from the chargé d'affaires or the Ambassador at Moscow a letter transmitting a report by Major Czapski concerning these missing Polish officers; is that correct?

Mr. BROWN. No, sir. The date stamp on this document shows that it was received in the Department of State on April 13, 1942, at something after 2 o'clock in the afternoon. Now, the document was dated February 7, but the date of receipt was April.

Mr. MACHROWICZ. But in April 1942 the Department of State would have in its possession Major Czapski's extensive report regarding these missing Polish officers; is that not correct?

Mr. BROWN. That is correct, sir.

Chairman MADDEN. Will you mark that as an exhibit and receive it in evidence, Counsel?

Mr. MITCHELL. This is exhibit 14.

(The document referred to was marked as "Exhibit 14" for identification and is as follows:)

EXHIBIT 14—LETTER AND ONE ENCLOSURE FORWARDED TO UNITED STATES STATE DEPARTMENT BY AMERICAN AMBASSADOR TO MOSCOW ON FEBRUARY 17, 1942, DETAILING SEARCH FOR POLISH OFFICERS

THE FOREIGN SERVICE OF THE UNITED STATES OF AMERICA

AMERICAN EMBASSY,  
*Moscow, U. S. S. R., February 7, 1942.*

No. 11.

Subject: Transmitting memorandum concerning Polish prisoners of war in the Soviet Union.

The Honorable the SECRETARY OF STATE,  
*Washington, D. C.*

SIR: I have the honor to enclose herewith a translation prepared by this office of a memorandum on Polish prisoners of war in the Soviet Union which was handed to me by its author, Jozef Czapski, a captain in the Polish Army in the Soviet Union. Captain Czapski informed me in strict confidence that not only had Stalin promised the Polish Ambassador that the Polish officers concerned would be liberated but that he had given the most solemn assurance to this effect to General Sikorski. Captain Czapski came to Moscow in an effort to obtain the implementation of these promises but has been unable to obtain any further information as to the whereabouts of these prisoners. He thinks it possible, however, that some of them may be imprisoned on Franz Joseph Island and as it would be impossible to bring them back from there before the month of June, there is a slight possibility that the Soviet authorities are withholding any information until such time as they can actually release the prisoners. As illustrative of the attitude taken by the Soviet authorities on this question, Captain Czapski told me in the strictest confidence that two officers of the Polish army in the U. S. S. R. were suddenly arrested in Kuibyshev and re-imprisoned without notice to the Polish Embassy or Military Authorities. The Polish Embassy has been unable to secure their release despite the most strenuous efforts. The Soviet authorities have merely stated that the officers in question are believed to be pro-German. Captain Czapski said he thought the real reason for their arrest was the fact that they were members of the Polish Bund. Captain Czapski, who was himself a prisoner of war, said that he had been fortunate in being imprisoned in a camp where the prisoners received relatively good treatment. He said that the reason for this special consideration was the desire of the Soviet authorities to prepare a nucleus of Poles who would be favorably disposed toward the Soviet Union and would be useful to the Soviet Government after the war, possibly for intervention in Polish internal affairs. He said that while he had no direct evidence he suspected that similar tactics were being used with respect to German prisoners of war. Some support to this theory is furnished by the recent visit of American correspondents to a Soviet

prison camp near Gorky, where the German prisoners receive a more liberal ration than the citizens of Moscow, although it cannot be said that the conditions of life there would be likely to win adherents to the Communist Regime.

Respectfully yours,

(COMMITTEE NOTE.—The signature on this document was deleted by the State Department. See previous testimony.)

[Translation]

#### AIDE MÉMOIRE CONCERNING MISSING POLISH PRISONERS OF WAR

The prisoners of war concentrated at Starobielsk, Kozielsk, and Ostachkow in the year 1939-40 (April-May) amounting to over 15,000 men, of which 8,700 were officers, have not returned from their captivity and the place where they were located is absolutely unknown with the exception of 400 or 500 men, about 3 percent of the total number of prisoners of war at Starobielsk, Kozielsk, and Ostachkow who were freed in 1941 (most of them having passed through the camp at Gрязowitz).

#### THE CAMP AT STAROBIELSK

The prisoners arrived at the camp of Starobielsk from the thirtieth of September to the first of November 1939. At the beginning of the liquidation of the camp, about April 5, 1940, the number of prisoners of war amounted to 3,920 men, aside from the generals and colonels who lived apart. In this number there were some dozens of civilians for the most part judges, lawyers, and civil servants, and about 20 officer candidates (Podchorazy). All of the rest were officers of whom at least 50 percent were regular officers, 8 generals, more than 100 colonels and lieutenant colonels, nearly 250 majors, about 1,000 captains, nearly 2,500 lieutenants and sublieutenants distributed among all branches of the service; among others, 380 of the most outstanding doctors of Poland, some university professors, etc.

Kozielsk and Ostachkow were similar prison camps and were liquidated about the same time and in the same manner as Starobielsk.

#### OSTACHKOW

When the liquidation of this camp began on April 6, 1940, there were a total of 6,570 men, of which 380 were Polish officers, in addition to Polish frontier guards and frontier regiments.

#### LIQUIDATION OF STAROBIELSK

On the fifth of April 1940 liquidation was announced and the first group, 195 men, were sent from Starobielsk. The Soviet commander, Colonel Berejkow, and the commissar, Kirehin, assured our camp directors that the camp was in process of final liquidation and that everyone would be sent to centers of departure from which all would be sent to their own country, the Russian side as well as the German (none of them were sent).

They were sent from the fourth of April to the twenty-sixth of April in groups of from 65 to 240 persons. On April 25, after the customary lecture, more than 100 persons were to leave. There was read a special list containing the names of 63 persons who were ordered to hold themselves completely apart during the departure at the station.

After this there was a pause between the twenty-sixth of April and the second of May. On the second of May 200 more were sent by little groups of 8, 11, 12 (my own departure took place in a group of 16) and the rest were sent. This group in which I found myself was taken to Pawlitchew Bor (Smolensk Oblast) and we there met the "special group" of 63 persons. We were accordingly 79 officers of Starobielsk all freed in 1941 (including some officer candidates "Podchorazy"). If we add to this number the officers sent from Starobielsk individually during the winter of 1939-1940 (General Jarnuszkiewicz, Colonel Koc, Colonel Gielgud-Aksentowicz, Chaplain Tyczkowski, Colonel Szymanski, Captain Rytel, Lieutenant Evert) and who have been freed, we have all together 86 out of 3,920, a little over 2 percent of the total number of prisoners of Starobielsk.

The liquidation of the camps of Kozielsk and Ostachkow was carried out in a similar manner.

In the camp of Pawlichtchew Bor there were about 200 officers from Kozielsk and about 120 persons from Ostachkow (police, subofficers, and some officers and civilians). The ratio between the number of men that came to Pawlichtchew and the total number of prisoners in the camps of Kozielsk and Ostachkow differed little from those I have cited for Starobielsk.

#### THE CAMP OF GRIAZOWIETZ NEAR VOLOGDA

After a stay of a month at Pawlichtchew the whole camp, amounting to about 400 persons, was transferred from Pawlichtchew to Griazowietz, where they remained from April 18, 1940, to the time of their liberation (on July 2, 1941, a group of 1,250 officers and soldiers interned in Lithuania, Latvia, and Estonia arrived at Griazowietz). According to our information the camp of Griazowietz is the only camp existing in the U. S. S. R. after June 1940, in which the officer prisoners of war were in the majority, which was liquidated in September 1941.

It will soon have been six months since the day of the proclamation of the armistice of Polish prisoners on the twelfth of August 1941. The Polish army in the U. S. S. R. is constantly receiving, whether by groups or individually, officers and soldiers of the Polish army who had been arrested on the spot or at the time of their passage of one of the frontiers after September 1939 and who now are free to come to us from Siberia, from Kolyma, from Workuta, Komi, ASSR, from Karagande, from all Russia, but contrary to the solemn promises given to our Ambassador by Stalin himself in November 1941, categoric promises of Stalin given to General Sikorski on December 4, 1941, to search for and deliver to us the missing prisoners and soldiers of Kozielsk, Starobielsk, and Ostachkow, *there is not a single prisoner of war of Starobielsk, Kozielsk, Ostachkow (aside from the group named above) who has returned.* Not a single cry for help has come to us from them. Having questioned thousands of compatriots who came from camps and prisons all over the Soviet Union, we have no news whatever of their location apart from vague rumors, usually carried third hand, such as: that six to twelve thousand officers and subofficers were sent to Kolyma in 1940; that more than five thousand officers have been concentrated on Franz Joseph Island and Nowaya, Zemlya; that transports have been sent to Tschukotka, Kamtschatka; that 630 prisoners of Kozielsk are located 180 kilometers from Piostraya Dreswa (Kolyma); that on the thirtieth of August 1941, 150 men in tattered officers' uniforms were seen on the banks of the Gari north of Soswa (tributary of the river Ob); that Polish officers were sent to islands in the north in large barges containing 1,700 to 2,000 men each and that three of these barges were sunk. But none of this information is completely certain although that concerning the northern islands and Kolyma seems the most probable.

Can it be that the solemn promises of Stalin himself would not allow us to hope that we shall at least know where our prisoners of war companions are and if they have perished where that took place? It is more than improbable that the heads of the N. K. V. D. should not know where these 15,000 men are. During our stay at Starobielsk, Kozielsk, and Ostachkow (1939-1940) lists of prisoners of war were made many times on special paper with numerous and detailed printed questions. These papers were sent to the places of detention of the prisoners everywhere. To them were added the records of numerous examinations on the past, the political views, etc., of each prisoner. Verified photographs were added to the documents, and papers of each prisoner were kept in a special dossier "Dielo," which included such documents as the officer's certificate, passport, etc.

The point to which these registrations were made with care is shown by a detail: many Polish officers received all of their papers in December 1941, documents which had been taken from them at Starobielsk, Kozielsk, and Ostachkow two years earlier.

#### THE OFFICERS

The day of the beginning of the liquidation of the camp of Starobielsk, April 5, 1940:

The number of prisoners, all officers except some dozens of civilians, and about thirty candidate officers (Podchorazy) amounted to .....	3, 920 persons.
The number of prisoners of Kozielsk the day of its liquidation, April 3, 1940, was 5,000 officers.....	4, 500 officers.
The number of prisoners at Ostachkow the day of its liquidation was 6,570 of which.....	330 officers.
Total.....	8, 800

Subtracting the dozens of civilians at Starobielsk we have at least-----	8, 700 officers.
There have returned to the Polish army some 300 officers of Griazowitz (ex-prisoners of Starobielsk, Kozielsk, and Ostachkow) and some dozens of prisoners sent from prisons where they had been held individually after Starobielsk, Kozielsk, and Ostachkow, in all not more than-----	400 officers.
Accordingly the officer prisoners of war who have not returned from the camps Starobielsk, Kozielsk, and Ostachkow amounted to the figure of-----	8, 300 officers.

All the officers of the Polish Army in the U. S. S. R. of which the number amounted to 2,300 more or less on January 1, 1942, are with the exception of the group of 400 officers mentioned above not as prisoners of war but political prisoners arrested after the campaign of 1939 as well as those interned from Lithuania, Estonia, and Latvia.

This note sets forth the status of the officer prisoners of war not liberated. With regard to the soldier prisoners of war not liberated, the question cannot be described in such a precise manner. According to official Soviet information (Krasnaya Zvezda, September 18, 1940), on the Ukraine front alone the Soviet army took 181,223 soldiers and more than 4,000 under officers prisoners. The soldiers have been partially sent back, the rest having been held in work camps in Komi, A. S. S. R., in Siberia, in the DonBass, in Soviet-occupied Poland, in Kazakstan, and in all the prisons of the U. S. S. R. A part of these men have been liberated and have formed the cadre of our army in the U. S. S. R. Another part not being able to be received in the army drifted toward the south seeking their families exported to Kazakstan. A large part have perished in work camps as well as being freed from cold and from hunger.

Accordingly, it is only the prisoners of war of Kozielsk, Starobielsk, and Ostachkow, for the most part officers, that we have been able to determine in exact figures. In enlarging the cadres of our army in the South, the need for these officers becomes more and more pressing. We lose in them the best that we had of military specialists, men of character, and patriots. In increasing our army the quality of the army is tied to this question of the disappearance of our best cadres of officers, to say nothing about how much more difficult this makes the creation of confidence in our army towards our Soviet allies, confidence so necessary for the decisive moment when our army goes into action again.

JOZEF CZAPSKI, *Captain.*

Moscow, *January 29, 1942.*

Mr. BROWN. Is that all for me at this time, sir?

Chairman MADDEN. That is all, Mr. Brown. Thank you.

#### TESTIMONY OF WILLIAM H. STANDLEY—Resumed

Mr. MITCHELL. Admiral, we have now reached the point in your career as Ambassador where you asked to be called home as a result of the visit Mr. Willkie made.

Could you tell us what happened, briefly, in Washington, at the time you came back, which I believe you stated was October 1942?

Admiral STANDLEY. When I returned to Washington, I reported, of course, directly to the State Department and then had an interview with the President. I reported to the President virtually what I have told this committee about Mr. Willkie's activities over there.

Then I told the President that I had asked to be recalled because of the situation Mr. Willkie left me in, and that if I returned to Russia I must go back with increased prestige and evidences of that.

And I told him three things that must happen to indicate that evidence. One was that my naval attaché, who was a captain, should be made an admiral; that my military attaché should be made a general, and that General Faymonville, the representative of Lend-Lease,

should be directed to report to the Ambassador and not act independently, as he had been doing.

Those things were accomplished before I went back.

Mr. MITCHELL. In other words, you are telling the committee this morning that all of your requests were granted by the President; is that right?

Admiral STANDLEY. Yes.

Mr. MITCHELL. And that you then returned in your official capacity?

Admiral STANDLEY. Yes.

Mr. MITCHELL. Now, during your conversation with the President, was the subject matter of the missing Polish officers discussed?

Admiral STANDLEY. I cannot recall generally, but I did discuss it with the President. I cannot remember in detail what the discussion was, but it was, in general, along the lines that I have indicated to the committee here. I informed the President of the situation as it had developed up to that time.

Mr. MITCHELL. In October 1942?

Admiral STANDLEY. Yes.

Mr. MITCHELL. Now, will you proceed to tell the committee what happened upon your return to Moscow, confining it to the Polish question?

Admiral STANDLEY. When I returned to Moscow, I found that Dr. Kot, who had informed me before I left that he had asked to be recalled, had been recalled as the Polish representative, and that Dr. Romer had been assigned as the Polish representative in Moscow.

Upon my return, Mr. Romer made the usual call, and he seemed very much pleased because he felt that the Polish situation had improved, and he felt encouraged and felt that he was going to accomplish some results in connection with that question.

Then Mr. Romer informed me that on subsequent visits the attitude of Mr. Molotov seemed to stiffen again, and then the Polish question became again a sore point and became quite a question of controversy.

Later on Mr. Romer brought a message which stated that their Polish Government in London had been informed that the British Ambassador and the American Ambassador would receive identical notes, which they were supposed to present to the Soviet Government.

And in due time, I think in about a week, those messages were received and the British Ambassador and myself made appointments to see Mr. Molotov.

We did not go together on this occasion, and when I went into the office—we had appointments and mine was after the British Ambassador's—as I went in, the British Ambassador was coming out. And the British Ambassador stated:

I have talked with Mr. Molotov in regard to the Polish situation. I have urged that they withhold their statements in regard to the Polish situation and not make it public.

And, of course—

he said—

I did not have much success. I hope you will have better success.

That was in connection with the note that the Soviet Government was going to make in regard to the breaking of relations with the Polish Government.

Chairman MADDEN. We have here now a document which should be marked as the next exhibit.

Mr. MITCHELL. That will be exhibit 15.

Chairman MADDEN. Wait just a minute. I think the admiral had something further to say.

Admiral STANDLEY. I had gotten ahead there.

Mr. MITCHELL. Yes; I think you had. I would like to bring you up to the point.

I have here a paraphrase of a telegram from Moscow, dated April 26, 1943; which I would like to introduce at this point as exhibit 15.

(The document referred to was marked "Exhibit 15" and is as follows:)

#### EXHIBIT 15

[Paraphrase of telegram from Moscow]

Moscow, April 26, 1943.

SECRETARY OF STATE,  
Washington.

\* \* \* \* \*

Two. I called on Molotov at his request this afternoon. As I arrived Clark Kerr was leaving and he said in passing "see if you can persuade him to delay the publication of the note. This is madness—I have been trying for the past hour but I am afraid I was not successful."

*Molotov told me of a message of April 21 addressed to Churchill and to President Roosevelt concerning Polish-Soviet relations. He said that in the absence of the President and of Mr. Hull this message was given to Mr. Welles on the 24th.* The message, he said, was almost identical to the note which he was "forced" to give last night to Ambassador Romer. The message was sent to the President to explain the position of the Soviet Government in the present controversy, and he felt certain that the Soviet position would be understood by the American Government. After reading the note Molotov said, in reply to my question, that no answer to Stalin's message had been received from the President. I said that the President's absence would account for the lack of a reply, and added that I was certain the President would be greatly disturbed at this development. When informed that the note would be published this evening, I said that, speaking without instructions, I was certain the American and British Governments were exporing the question of Polish-Soviet relations in an attempt to find a solution which would make unnecessary a rupture in relations. I added that I sincerely hoped that publication of the note could be held up long enough to permit a complete examination of the question.

(Signed) STANDLEY.

Chairman MADDEN. That will be received as exhibit 15.

Mr. MITCHELL. Do you acknowledge having sent that message, Admiral?

Admiral STANDLEY. Yes. And that brings me back. I had gotten ahead of that in my testimony.

As I stated, Mr. Romer found that conditions were worsening as he went along, and eventually, on April 13, 1943, came the break. And at that time, Mr. Goebbels, the German representative, had announced the finding of these 5,000 or 8,000 Polish officers and that they had been murdered by the Russians.

At that time it was announced that the Polish Government in exile had requested the International Red Cross to investigate this murder to determine who had committed the murder, whether it was the Russians or the Germans.

My next knowledge in connection with that was when Mr. Romer came into my office the next or following day and asked to see me. He made this statement:

Mr. Ambassador, I would like to get your advice. I was called for an appointment with Mr. Molotov last evening, at which time I was presented with a letter of such tenor that after I had read it I handed it back to Mr. Molotov, and I said, "Mr. Molotov, that letter is couched in language which no ambassador can receive," and I refused to receive it. And I left the office.

He continued, "About 12 o'clock, between 12 and 2 o'clock last night"—I think he told me about 12 o'clock—

a messenger rapped at my door in the hotel, and when he opened the door he presented me with a letter from the Russian Foreign Office. And the messenger left. When I opened the letter, I found it was the identical letter that he had given me in the afternoon, with no change whatever in it. It was the identical letter.

"So," he said, "I came over to ask what you would do about it."

I first said to Mr. Romer, "Have you seen the British Ambassador?"

"Yes."

"Probably," I said, "it will be no use for me to tell you what I would do, but if you asked me, if it was my case, I would take that letter back to the Kremlin gate and say to the messenger that it was the identical letter I had refused to receive, and I could not receive it and was returning it, evidently it had been sent to me by mistake."

As I anticipated, Mr. Romer did not take my advice. He referred the matter to the Polish Government, and so that was the breaking of relations, and in a short time Mr. Romer left Moscow for home.

Chairman MADDEN. At this time I will have the next document marked "Exhibit 16," which is entitled "Private and Confidential Message of Premier Joseph V. Stalin to President Franklin D. Roosevelt."

The document will be received for the record.

(The document referred to was marked "Exhibit 16" for identification, and is as follows:)

#### EXHIBIT 16

#### MARSHALL STALIN'S PERSONAL LETTER TO PRESIDENT FRANKLIN D. ROOSEVELT

(Note in panel in upper right hand corner states the message was received in the State Department "about 3 p. m., April 24, 1943")

The recent conduct of the Polish Government towards the Soviet Union is regarded by the Soviet Government as absolutely abnormal and contrary to all rules and standards governing relations between allied countries.

The campaign of calumny against the Soviet Union, initiated by the German fascists regarding the Polish officers they themselves slaughtered in the Smolensk area, on German-occupied territory, was immediately taken up by the Sikorski government and inflated in every possible way by the official Polish press. The Sikorski government, far from taking a stand against the vile fascist slander of the Soviet Union did not even see fit to ask the Soviet government for information or explanations.

The Hitlerite authorities, after perpetrating an atrocious crime against the Polish officers, are now engaged upon an investigation farce for the staging of which they have enlisted the help of certain pro-fascist Polish elements picked up by them in occupied Poland, where everything is under Hitler's heel and where honest Poles dare not lift their voices in public.



The governments of Sikorski and Hitler have involved in these "investigations" the International Red Cross which is compelled to take part, under conditions of a terroristic regime with its gallows and mass extermination of a peaceful population, in this investigation farce, under the stage management of Hitler. It should be clear that such "investigations," carried out, moreover, behind the Soviet Government's back, cannot inspire confidence in persons of any integrity.

The fact that this campaign against the Soviet Union was launched simultaneously in the German and the Polish press and is being conducted along similar lines does not leave any room for doubt that there is contact and collusion between Hitler, the enemy of the Allies, and the Sikorski government in the conduct of the campaign.

At a time when the peoples of the Soviet Union are shedding their blood in the bitter struggle against Hitlerite Germany and straining every effort to rout the common foe of all liberty-loving democratic countries, the government of Mr. Sikorski, pandering to Hitler's tyranny, is dealing a treacherous blow to the Soviet Union.

All these circumstances force the Soviet Government to infer that the present government of Poland, having fallen into the path of collusion with the Hitler government, has actually discontinued relations of alliance with the U. S. S. R. and assumed a hostile attitude toward the Soviet Union.

In view of these circumstances, the Soviet Government has come to the conclusion of the necessity for breaking relations with the present Polish government.

I deem it necessary to inform you of the above and trust that the Government of the United States will realize the inevitability of the step which the Soviet Government has been compelled to take.

APRIL 21, 1943.

Chairman MADDEN. This next document will be marked "Exhibit 17" and received for the record. It is a message from President Roosevelt to Stalin, dated April 26, 1943.

(The document referred to was marked "Exhibit 17" for identification and is as follows:)

**EXHIBIT 17—MESSAGE FROM PRESIDENT ROOSEVELT TO STALIN, DATED APRIL 26, 1943**

I have received your telegram while on my Western inspection trip. I can well understand your problem, but I hope in the present situation you can find means to label your action as a suspension of conversations with the Polish Government in exile rather than a complete severance of diplomatic relations.

It is my view that Sikorsky has not acted in any way with Hitler gang, but rather that he made a mistake in taking the matter up with the International Red Cross. Also, I am inclined to think that Churchill will find ways and means of getting the Polish Government in London to act with more common sense in the future.

Let me know if I can help in any way, especially in regard to looking after any Poles you may desire to send out of Russia.

Incidentally, I have several million Poles in the United States, very many of them in the Army and Navy. They are all bitter against the Nazis, and knowledge of a complete diplomatic break between you and Sikorski would not help the situation.

Mr. MITCHELL. Mr. Chairman, I would like to ask the admiral a question.

Admiral, is this message from Stalin to President Roosevelt the one that was referred to in your dispatch when Molotov told you about it April 21?

Admiral STANDLEY. I never saw that message. Mr. Stalin told me about it.

Mr. MACHROWICZ. Did you see that message, Admiral?

Admiral STANDLEY. No.

Mr. MACHROWICZ. Now, I am going to ask you, Admiral: In your relations with the Polish representatives in Moscow, did you find a desire on their part to find a way out of the situation with the Russian authorities? Did they seem to be acting in good faith?

Admiral STANDLEY. Do you mean the Polish authorities?

Mr. MACHROWICZ. The Polish authorities.

Admiral STANDLEY. Oh, yes.

Mr. MACHROWICZ. Was there any indication that they did not act otherwise than in good faith?

Admiral STANDLEY. Not the slightest. On the other hand, there seemed to be every effort of the Poles, Mr. Kot and Mr. Romer, to get along, and to solve the problem.

Mr. MACHROWICZ. Was there anything that you found in your relations with Ambassador Kot, Ambassador Romer, and the others, which would indicate to you that the desire of the Polish Government to ask for an International Red Cross investigation was instigated by the Germans?

Admiral STANDLEY. No. The only information we got about that came over the radio. We got this word over the radio, and then we got the news in regard to Mr. Romer's relief.

Mr. MACHROWICZ. Your impression, based on the negotiations and the discussions you had with Ambassador Kot and Ambassador Romer, was that this was an independent request to the Polish Government, with which the Germans had nothing to do; is that correct?

Admiral STANDLEY. That was the impression we had at the time.

Mr. MACHROWICZ. Did you see anything in this action of the Polish Government which would give any reason to ask the President to have them act with more common sense in the future? Was there anything that was not in common sense in requesting the International Red Cross to make an investigation?

Admiral STANDLEY. Not that we could see at the time. There was no particular reason why they should not ask a neutral agency to investigate, as long as there was a dispute.

Mr. MACHROWICZ. Did it not appear to you that it was, on the contrary, acting with common sense in the case of a controversy between the Russians and Germans, both of whom were equal enemies of the Poles, that the Polish Government wanted an unbiased organization like the International Red Cross to investigate?

Admiral STANDLEY. That is how it appeared to us there, that the Polish Government was acting in good faith in endeavoring to get an honest solution of the controversy.

Mr. MACHROWICZ. Then, of course, you disagree with the former President's statement that they did not act with common sense in asking such an unbiased investigation?

Admiral STANDLEY. I do not know whether I would agree with that or not.

Mr. DONDERO. Mr. Chairman.

Chairman MADDEN. Mr. Dondero.

Mr. DONDERO. Before you proceed further let me ask: Did the Polish representatives at all times contact you in regard to the effort they made with the Russian Government to find these Polish officers?

Admiral STANDLEY. I could not say that they contacted me in regard to, or informed me of every occasion, but they were continually discussing the Polish question with me.

As a matter of fact, our relations with Minister Kot were very friendly. He was a great bridge player, and we played bridge back and forth continually.

At these bridge tables we would discuss these questions. Of course, they are not a matter I can recall, but I know we were constantly discussing the Polish question.

Mr. DONDERO. When you speak of the Polish question or Polish problem, Ambassador, you really mean these missing Polish officers, do you?

Admiral STANDLEY. Yes. That was the problem.

Mr. DONDERO. Now, there is something about which you have aroused the curiosity of all members of this committee.

Did you at any time after Willkie's visit to Europe learn what was the supersecret information that he had which you did not have?

Admiral STANDLEY. No. At least, if it came to me, it came to me in a way that I did not know it was information through Mr. Willkie.

Mr. DONDERO. That is all I have at this time, Mr. Chairman.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. I have one question. Admiral, referring to this break that finally came between Russia and the Polish Government, that was not a surprise to you, was it? In other words, were you not of the opinion that Russia's attitude, considering the situation and the way they had to be babied by everybody with regard to even talking to the Poles, was it not your opinion that eventually the break would come, and that if it had not been on this incident of the Red Cross, that they would have found some other incident because of the plan they had set? Eventually the break would have to come and they had it in mind. It was just a question of falling upon the first opportunity to do it with grace; is that right? Is that your opinion?

Admiral STANDLEY. Would you state that again?

Mr. O'KONSKI. This break that finally came between the Polish Government and the Russian Government was scheduled to come for a long time, was it not? In other words, if Russia had not found this particular incident as an excuse to sever relations with the Polish Government, they would have found some other excuse because it was definitely in their plan to eventually sever relations, was it not?

Admiral STANDLEY. That was not in our minds in Moscow.

Mr. O'KONSKI. It was not?

Admiral STANDLEY. No. We did not anticipate a definite and final break between the Poles and the Russians.

Chairman MADDEN. Our next document will be marked "Exhibit No. 18." It is a telegram to the Secretary of State from Ambassador Standley, dated in Moscow April 28, 1943.

That will be received for the record.

(The document referred to was marked as "Exhibit No. 18" for identification and is as follows:)

#### EXHIBIT 18

[Paraphrase of telegram from American Ambassador in Moscow to Department of State]

Moscow, April 28, 1943.

SECRETARY OF STATE,  
Washington.

FOR THE PRESIDENT AND THE SECRETARY—SECRET.

In my conversation with Molotov which took place at 5 o'clock on the day prior to the receipt of the President's message to Stalin, I want you to know that I requested him very earnestly during almost an hour to hold up publication of the Polish note until after the President could reply to Stalin's mes-

sage. The President had been absent from Washington, I explained, and I expressed the earnest hope that if publication could be delayed for even two or three days so that the President could communicate with Stalin, this might have an important bearing on the unfortunate developments. However, Molotov was as intransigent as I am informed he had been earlier with the British Ambassador. Later I learned that the note had been read at about the same time to the Chiefs of Mission in Kuibyshev and had been released to the press.

I realize now that intercession on my part or on the part of the British Ambassador could not have helped, since the Kremlin policy was set before my interview with Molotov. It would seem, from what I can gather here, that hopes for reconciliation were apparently destroyed with the publication today in *Izvestiya* of an article by Wanda Wasilevskaya, the so-called chairman of the Union of Polish Patriots, editor of *Wolna Polska* and incidentally the wife allegedly of Kornechuk who was recently appointed Vice Commissar of Foreign Affairs. "The Polish Patriots are against the Government of General Sikorski" was the title of this article, which held strongly that the Polish Government in London, a left-over from Rydzsmigly's "Government of Poland's September defeat," was not chosen by the Polish people, did not represent them, and is presently controlled by Hitlerite elements. The Army leadership under General Anders is accused of anti-Semetism, Chauvanism, anti-Sovietism, and even cowardice for "refusing to fight and withdrawing its forces from the Soviet Union." The diplomatic representation in the Soviet Union of the Sikorski Government are accused of robbing the Polish exiles of both supplies and money, and the links of the Polish Government with Berlin are said to be as clear as its imperialistic intentions toward Soviet territories. The article concludes that the Polish Patriots Union has asked for the organization in the Soviet Union of Polish units "which would proceed to the front to fight shoulder to shoulder with the Red Army rather than sitting for months in tents." A fuller summary of the article is being telegraphed.

It may be noteworthy that whereas at first the foreign correspondents here had to use the phrase "suspension of relations," later Soviet censors allowed them to call the development a "break" or "rupture" in relations. However, it is the consensus here that the article mentioned above has now closed the door definitely to any rapprochement between Moscow and the present Polish Government.

STANDLEY.

Mr. MITCHELL. Do you acknowledge having sent that telegram?

Admiral STANDLEY. Yes.

Mr. MITCHELL. Could you explain to the committee what went on at this time? It is evident from this telegram that the breaking off of relations had a more important meaning behind it since it looks like they were trying to form another Polish Government. Could you explain that to the committee, please?

Admiral STANDLEY. I think that that could be explained by what actually happened, because when these relations were broken off, the Russian Government set up a Polish representative government in Moscow.

Mr. O'Konski. Plans for setting up that kind of government just do not happen overnight. Where did they find this Wanda Wasilewska and where did they find these other people?

In other words, this thing must have been planned long before they even broke diplomatic relations with the real Government of Poland. Do you not feel that way: That they must have been planning for it for quite some time, otherwise how would they have all these people ready?

Admiral STANDLEY. You know, hindsight is one thing and foresight is another. You are asking me what I thought at that time. At that time I did not have the belief or feeling that the rupture was imperative.

Mr. O'Konski. But now, subsequent developments convince you, do they not, Admiral, that this thing was planned long beforehand?

Admiral STANDLEY. At the present time, with hindsight, I would say "yes"; there is not any question but that that was the plan.

Chairman MADDEN. Admiral, I will present to you exhibit 19, headed, "Paraphrase of telegram, Moscow, April 28, 1943," addressed to the Secretary of State at Washington, signed by "Standley," and I will ask counsel to have you identify it.

(The document referred to was marked "Exhibit 19" for identification and is as follows:)

#### EXHIBIT 19

[Paraphrase of telegram from American Ambassador in Moscow to United States State Department]

Moscow, April 28, 1943.

SECRETARY OF STATE,  
Washington:

According to many qualified observers here, there may be formed in the near future on Soviet soil a "Free Polish Government" which would hold that it alone represented the real Polish people in Poland occupied by Germany and not the "reactionary" emigre Polish circles abroad. This "Free Polish Government" would be an offspring of the Union of Polish Patriots and as such a satellite of the Soviet Government. I am not convinced that these observers are right although it is quite possible they may be. In the first place, I doubt whether the realistic Kremlin has forgotten its unsuccessful attempt at the beginning of the Finnish War prematurely to publicize and organize the Terioki Government. *In the second place, there do not appear to be any Polish leaders here who would have sufficient stature to make such a government popular.* It would appear more likely that there will be formed here an organization similar to the French National Committee in London. We should in any event be prepared, I think, for some move of this sort whether it be in the form of a committee or of a Free Polish Government, and we should realize that an organization of this kind on Soviet soil must be completely under Soviet domination. In addition, a development of this kind is possible in the case of any Slavic or bordering country outside the 1941 Soviet frontiers which does not agree to the policy of the Soviet Union.

Within the Soviet Union can be found the nucleus of any European Government and especially of those governments in which the Soviet Union has strategic or geographic interests.

We may, it seems to me, be faced with a reversal in European history. To protect itself from the influences of Bolshevism, Western Europe in 1918 attempted to set up a cordon sanitaire. The Kremlin, in order to protect itself from the influences of the west, might now envisage the formation of a belt of pro-Soviet states.

(Signed) STANDLEY.

Mr. MITCHELL. Admiral Standley, this message is dated April 28, 1943. Do you recall having sent that?

Admiral STANDLEY. I recall having made that rather military estimate of the situation; yes.

Mr. MACHROWICZ. Admiral, I want to compliment you. I think you were very prophetic in your statement there. I think the facts proved to be exactly as you prophesied at that time.

Admiral STANDLEY. Thank you, sir.

Mr. MITCHELL. Now, Admiral, could you briefly summarize the rest of your tour of duty in Moscow and approximately the time that you were succeeded in the position, and by whom?

Admiral STANDLEY. I would like to give you in summary, give the committee, sort of a picture of what happened there when the German broadcast claimed the finding of these 10,000 Polish officers in the Katyn Forest near Smolensk.

Mr. MITCHELL. Please do.

Admiral STANDLEY. Two days after this, radio Moscow broadcast an indignant denial of the Nazi charge. "At last," it said, "these new German lies reveal the fate of the Polish officers whom the Germans used for constructive work in the Smolensk area."

The next day, Tass explained that these Polish prisoners had been captured alive by the Germans during the Red Army retreat from Smolensk in the summer of 1941, and information which combined the efforts of the British, American, and Polish Governments has been unsuccessful in extracting from the Soviet Government until that day. The Poles were wild. They knew that many of their officers had been removed from the three prison camps in April 1940. If the Soviet Government knew that they had been captured by the Germans in 1941, why had the Russians let the Poles hunt and hope for almost 2 years?

Ambassador Romer urged caution. The Polish Government in London proceeded cautiously.

On April 17, the Polish Cabinet issued a statement, of which I obtained a rather poor translation. If you will bear with me, I will read that rather short statement:

There is no Pole who is not deeply shocked by the information loudly proclaimed by German propaganda of the discovery near Smolensk of the huge graves filled with corpses of massacred Polish officers missing in the U. S. S. R. and about their execution. At the same time, the Polish Government, in the name of the Polish nation, refuses to permit the Germans to promote discord among the United Nations by shifting that crime in self-defense to the Russians. The hypocritical indignation of the German propaganda will not conceal from the world the cruel crimes committed by the Nazis against the Polish nation.

Then that statement went on into a list of a long series of crimes, and so forth.

Now, that was the attitude that was presented to us over there, and the committee should realize that sitting over there we were rather also behind the iron curtain and we did not know very much about what was going on except in messages we got that came through from the State Department. We had no general news, no general broadcast, or anything of that kind. So we were in a way sort of blanketed, too. And many of these things that possibly happened on the outside, we had no way of knowing.

Mr. MACHROWICZ. Admiral, you mentioned there that the Russians suddenly announced the fact that these Polish officers were taken prisoners by the Germans and killed by them. I am going to ask you a question.

In the course of your various talks with Molotov, Stalin, and others, did they at any time give you any inference that these Polish officers became prisoners of the Germans?

Admiral STANDLEY. No, not the slightest. I never received any information as to the location or disposition of these Polish officers.

Mr. MACHROWICZ. The first time the story came out that they were taken prisoners by the Germans was after German discovery of the graves; is that not correct?

Admiral STANDLEY. Yes, sir.

And let me give you this instance. While I was being briefed in Washington, a lady came in and she said, "I am the wife of an officer who was taken out of Poland by the Russians, and I have not heard

from him. They tell me he is dead. I don't believe he is dead. I am giving you this letter to present to this officer when you find him."

I took the letter with, of course, rather a hopeless feeling. And a year and a half later, or a year later, I was informed that a civilian wanted to see me. When he came in and I asked him his name, he gave me his name, and I reached down into the drawer and pulled out this letter from his wife and handed it to him.

This man was a doctor. I think he was from Lithuania. He had been taken prisoner and he had been sent to prison up in Siberia, and they had an outbreak there of some sort and they released this doctor in order for him to aid the sick and disabled. And as a result of his efficient work, they released him, and he came into my office on his way home. I tried to get him to tell me about his story and I got nothing out of him. He refused to talk, to say anything. But I asked him if there were any Polish officers in this camp, and he said, "No, there were none."

That was really the only positive information I got.

In connection with that investigation—this I am telling you is information that came to me there—the Russians held an investigation of this murder case when they took over Smolensk again on the way back, and they invited various people down there.

Now, two newspapermen, William W. N. White and Lauterbach, the men who were over there with Eric Johnston, were invited down there. Mr. White was rather anti-Communist and said that the testimony given there would not convince a British or an American jury.

Mr. Lauterbach, on the other hand, who had received quite a few favors from the communistic government, said that the testimony given there was all convincing that the Germans did the work.

Chairman MADDEN. Mr. Dondero.

Mr. DONDERO. Admiral, at that time, did Mr. Harriman's daughter also go with that group to see the graves?

Admiral STANDLEY. I have been informed that she did.

Mr. MITCHELL. You were not stationed there at the time; were you?

Admiral STANDLEY. I was not there at the time; no.

As a final summing up, as my summation there—well, I will give you this information. It may be of use. You might say it is hearsay.

But last week, in Coronado, the admiral who was my naval attaché in Moscow at the time we were discussing this very problem—I had then received the letter from the committee—stated to me at that time that it was the impression of the people in Moscow that the Russians had committed those murders. That was at the time the Katyn Forest broke. So, finally, when I left there, I had this question in my mind.

I stated in regard to this, in summing up, that there were a few questions that remained unanswered.

First, if the Polish officers were captured alive by the Germans in December of 1941, why were not the Polish officials told at once? Why was the quest of the Polish military authorities for their lost officers allowed to continue for over 2 years? Would the uniforms and boots be in such excellent condition after 2 years in Russian prison camps? Why were there so many letters and documents dated February and March 1940, and only a few dated in 1941? Why were the news dispatches from Moscow so peculiarly censored by Narkomandil—that is the censorship—that all the correspondents' doubts of German guilt were eliminated from the dispatches?



Those were my last reactions to this Katyn Forest murder.

Mr. DONDERO. I might say to you, Admiral, that one statement does not quite agree with the evidence we received in Europe. The last date of any letter or post card or newspaper found on the bodies of these men was May 1, 1940.

Mr. O'KONSKI. Admiral, your suspicions have been verified because this committee, after making a thorough investigation, has come to the unanimous conclusion that there is not one iota of evidence anywhere to prove that anybody but the Russians did it.

Admiral STANDLEY. I was just going to add one other thing.

The testimony I have given is from the best of my recollection and taken from extracts from an article I have written in the Naval Institute. These notes were taken from stenographic notes made at the time of the interview.

For instance, I would go to see Mr. Stalin. I would come back and sit down immediately and make stenographic notes of my interview. The information I got and have given you here is from those stenographic notes. And, of course, they are only extracts. The notes are complete and I have them for reference if anybody wants to use them.

So, as I say, in addition, I have made a complete report. I have written a story, and a manuscript is completed of my entire regime in Moscow. Maybe it will be published, maybe not; I don't know. But the complete story of Mr. Willkie is in that. So if anybody wants to read it, get my book.

And as I sum up these remarks, I conclude with this: There is a lesson. Let my fellow citizens beware that they never be caught like the Poles, between the upper and the nether millstones.

Thank you, gentlemen.

Chairman MADDEN. Do you have any questions, Mr. Sheehan?

Mr. SHEEHAN. No questions.

Chairman MADDEN. Mr. O'Konski?

Mr. O'KONSKI. You were there, Admiral, when the graves were discovered by the Germans; were you not?

Admiral STANDLEY. Yes.

Mr. O'KONSKI. You were there when the Soviet Government broke relations with the Polish Government; were you?

Admiral STANDLEY. Yes.

Mr. O'KONSKI. That was a very critical time, and it involved, evidently, the murder of somewhere between ten and fifteen thousand Polish officers.

Admiral STANDLEY. Yes.

Mr. O'KONSKI. Now, Admiral, was there any honest effort by your superiors here in Washington to find out who really was guilty of this massacre by asking you, or was there, in your opinion, an obvious attempt to hush it up because it was too hot to handle and to lay hands off?

Admiral STANDLEY. The reasons back of no request—I could not even offer a suggestion—but I received no intimation that I would look for that.

Mr. O'KONSKI. How long were you there after the graves were discovered?

Admiral STANDLEY. That was in April, and I left there in October 1943. That is about 7 months.

Mr. O'KONSKI. And you were our representative there, our highest representative there?

Admiral STANDLEY. Yes, sir.

Mr. O'KONSKI. During all that time you received no communication whatever from your superiors in Washington asking you to send some kind of report to find out which side is telling the truth; no attempt whatever was made to ask you?

Admiral STANDLEY. None whatever.

Mr. O'KONSKI. Did not that seem rather strange to you?

Admiral STANDLEY. No, because the situation was so turbulent otherwise that I would feel that any effort of our Government to inject themselves into it would just muddy the water so much more.

Mr. O'KONSKI. In other words, at that time, your impression is that, from the standpoint of your superiors, Soviet friendship, even if they were criminals, meant more to them than finding out who murdered 15,000 Polish officers?

Admiral STANDLEY. I think that is somewhat true. But take this situation: The way we felt there, when Mr. Romer left, taking his departure, the British Ambassador and myself went to the depot to see him off and presented going-away presents to Mr. Romer as indicating where our sympathies lay.

Mr. O'KONSKI. Did you leave the service voluntarily, Admiral; that is, that particular post at Moscow?

Admiral STANDLEY. Yes; and then again, no. Do you mean leave the Ambassador service?

Mr. O'KONSKI. In Moscow; yes, sir.

Admiral STANDLEY. Yes. I submitted my resignation. The last words I said to the President when I left, going back, as I left the door in the White House, I said, "Mr. President, you got your fingers burned with Mr. Willkie; don't do it again."

And when I got word that Mr. Joe Davies was coming in with a secret letter which I was not to know about, I sent in my resignation, and it was accepted in October.

Mr. O'KONSKI. The reason I ask that is that the history of ambassadors at that time was that those that evidently knew what was going on, particularly Governor Earle and Bliss Lane and a few others, did not last very long; and I wondered if you went the way of all those who knew what was going on at that time.

So, I am glad to hear it was the way it was.

Admiral STANDLEY. No. I submitted my resignation.

If you recall, there was an upheaval there in my relations with the Russians when I made the announcement to the press that the Russians were not informing their people as to the receipt of Red Cross relief supplies and lend-lease supplies. That created an upheaval, and I think the press in the United States and I think Mr. Sumner Welles, who was probably here, thought I should be relieved at once.

Mr. O'KONSKI. In regard to the lend-lease negotiation, here we were giving Russia billions of dollars' worth of land-lease, and do you know if an effort on our part was made, by our representatives in Government, to use that more or less as a weapon to get the Russians to treat the Poles a little more kindly rather than just having our President say "Well, if you don't want the Poles in Russia, let me know, we will take care of them"?

Admiral STANDLEY. No. As far as I know, that effort was not in evidence.

You see, I was there with the Beaverbrook-Harriman Mission, who forced the lend-lease on them.

Mr. O'KONSKI. They forced it on them?

Admiral STANDLEY. We practically forced it on them; yes, sir.

Then they received the lend-lease and we were giving them the lend-lease in an effort to further the war effort. As far as I knew, it did not have anything to do with the Polish situation.

Mr. O'KONSKI. They were not very anxious to take it; were they? What do you mean when you say "we practically forced it on them?"

Admiral STANDLEY. Their attitude was one of rather not wanting to accept help from the outside. They had four meetings with them. In the first meeting, they went in and they came back, and Mr. Harriman and Mr. Beaverbrook said: "I wish we would have had the agreement ready for them to sign, and I think he would have signed last night."

They had another meeting with Mr. Stalin and said: "Oh, my God; we don't know what we are going to do now. We don't know what to give him to get him to agree."

The third night they came back and said: "Get your papers ready. It is all over. We are going to sign the agreement the next morning." And this was done.

We left in a gale of wind on Saturday. No pilot in our country would take to the air in those conditions, but we went out. Everybody got airsick. It was a terrible storm. The reason for it—and the reason, as we realized afterward, that Mr. Stalin agreed to take lend-lease and got rid of us—was the fact that the Germans had started their attack on Moscow 2 days before, and he wanted to get us out of there in order to avoid the embarrassment of having us stranded.

Mr. O'KONSKI. In other words, they played like the bride, hard to get, because they knew they would get more?

Admiral STANDLEY. Maybe that was it. But I think their desire to get us out in a hurry was the reason Stalin finally agreed.

Mr. SHEEHAN. Admiral, in your reference to Mr. Willkie and Mr. Davies, apparently there were many instances when the President bypassed you as Ambassador to get to other people in Russia.

Admiral STANDLEY. That is right.

Mr. SHEEHAN. And they never let you know what was happening?

Admiral STANDLEY. Some parts. The secret letter Mr. Davies brought over, Mr. Davies told me that the President felt it would be better if I was not there when he presented the letter. And I not only did not see the letter to know what was in it, but I was not there to see when the letter was presented to Mr. Stalin.

And the telegrams you just read here, is the first time I have ever seen those telegrams, which Mr. Stalin sent to Mr. Roosevelt and Roosevelt sent to Stalin, showing you how I sat in the dark behind the iron curtain.

Mr. SHEEHAN. Only, of course, I realize that both Mr. Willkie and Mr. Roosevelt had a lot in common, both being the so-called barefoot Wall Street lawyers. It would seem to me that as a Republican, we have been screaming for the last 20 years about Government by crony, and I think we have had also international diplomacy by

crony, from the looks of things, where individuals worked for the President, reported to him, and the rest, even the State Department many times did not know what was going on.

Mr. MACHROWICZ. Mr. Sheehan, do you want to add Mr. John Foster Dulles to that group?

Mr. SHEEHAN. Yes.

Mr. MACHROWICZ. Would both of you gentlemen?

Mr. SHEEHAN. You must remember all this time Poland was an ally of ours. We were supposed to be fighting for them. Jimmy Byrnes points out that when he was at Yalta, Mr. Roosevelt, instead of being an advocate for the Polish cause was an arbiter, trying to settle the dispute by giving away what we had little right to give.

Mr. DONDERO. I would like to suggest to the chairman that it is past noon.

Chairman MADDEN. Is there anything further?

Now, Admiral, on behalf of the committee, we want to thank you for coming here today. You came a long way to testify, and your testimony has certainly been very valuable to this committee. Since it has been in operation over a year, this committee has been trying its best to bring out all the facts regarding the Katyn massacre and some of the incidents leading thereto. Your testimony has been highly valuable, and we wish to thank you for your inconvenience in coming here to testify.

Admiral STANDLEY. Thank you very much, Mr. Chairman.

Chairman MADDEN. We are, unfortunately, a little behind our schedule.

Ambassador Welles, could you be here at 1:30?

Mr. WELLES. Yes, sir; Mr. Chairman.

Chairman MADDEN. Thank you.

Ambassador Welles will go on at 1:30 as the next witness.

(Whereupon, at 12:20 p. m., a recess was taken until 1:30 p. m., this same day.)

#### AFTER RECESS

Chairman MADDEN. The committee will come to order.

I would like to make this announcement for the information of some of the news reporters. Last summer, before the committee filed its interim report on the first phase of the Katyn hearings, we set up in our report the following.

The first phase of the Katyn hearings was to establish the guilt of the nation responsible for the massacre, and the second phase was primarily to complete testimony regarding the facts and circumstances leading up to and concerning the disappearance of certain reports, documents regarding the Katyn massacre. I will set that out by reading the two paragraphs as they were printed in our interim report, to wit:

Fully aware then that this was the first neutral committee ever officially authorized by any government to investigate the Katyn massacre, this committee divided its investigation into two phases:

(1) Assemble evidence which would determine the guilt of the country responsible for the mass murder of these Polish Army officers and intellectuals in the Katyn Forest,

(2) Establish why the Katyn massacre with all of its ramifications never was adequately revealed to the American people and to the rest of the world. The committee likewise included in this phase an effort to determine why this crime

was not adjudicated in the Nuremburg trials—where it should have been settled in the first instance if the Germans were guilty.

Now, the reason for this second phase is that when our resolution was authorized by Congress, a great number of the Members of our Congress inquired as to whether or not the committee would go into the phase of the hearings as is set out in part two of our investigation. That is the reason for the hearings this week.

I will ask Mr. Sumner Welles to take the stand, please.

**TESTIMONY OF HON. SUMNER WELLES, FORMER UNDER  
SECRETARY OF STATE, OXON HILL, MD.**

Chairman MADDEN. Will you be sworn, please. Do you solemnly swear that the testimony you are about to give the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. WELLES. I do.

Chairman MADDEN. Sit down, Mr. Welles, please. Will you state your name.

Mr. WELLES. Sumner Welles.

Chairman MADDEN. And your address?

Mr. WELLES. Oxon Hill, Md.

Chairman MADDEN. And your present capacity?

Mr. WELLES. Author, writer.

Chairman MADDEN. You are a former Ambassador and Under Secretary?

Mr. WELLES. I am a former Ambassador to Cuba, and later Assistant Secretary of State and then Under Secretary of State from May 1937 until the latter part of the summer of 1943.

Chairman MADDEN. You may proceed, Mr. Counsel.

Mr. MITCHELL. Mr. Welles, when did you first enter the diplomatic service of the United States?

Mr. WELLES. In 1915.

Mr. MITCHELL. You have held successive posts all over the world; is that correct?

Mr. WELLES. That is right.

Mr. MITCHELL. You became Under Secretary of State on what day?

Mr. WELLES. I think it was May 26, 1937.

Mr. MITCHELL. And you remained in that position how long, sir?

Mr. WELLES. Until July 1943.

Mr. MITCHELL. What did you do after July 1943?

Mr. WELLES. I then wrote a column for the newspapers and wrote several books.

Mr. MITCHELL. In other words, from July 1943 until the present time, you have been an author?

Mr. WELLES. In private life, yes.

Mr. MITCHELL. Were you present in the hearing room this morning when Admiral Standley, former Ambassador, testified?

Mr. WELLES. I was.

Mr. MITCHELL. You heard all of the exhibits that were read into the record at that time of the communications that went back and forth between Washington and Moscow at that time?

Mr. WELLES. I did.

Mr. MITCHELL. Mr. Chairman, at this time I would like to introduce this document as exhibit 20.

Chairman MADDEN. This document will be marked "Exhibit No. 20." It is a letter from Mr. Sumner Welles to the President of the United States.

(The letter referred to was marked "Exhibit No. 20" and follows:)

EXHIBIT 20—LETTER FROM UNDER SECRETARY SUMNER WELLES TO PRESIDENT  
ROOSEVELT

SPECIAL  
DIVISION  
MAY 20 1942  
DEPARTMENT OF STATE

DEPARTMENT OF STATE  
WASHINGTON  
May 13, 1942

My dear Mr. President:

When the Polish Ambassador called recently he left with me a memorandum which contained in part a request for our assistance in expediting the evacuation from the Soviet Union of Polish military and civilian prisoners and deportees. The Ambassador added in this connection that General Sikorski had asked that this matter be brought to your attention.

There is attached, for your consideration and possible approval, a draft telegram to Admiral Standley. The substance of the pertinent portions of the memorandum of the Polish Ambassador appears in the draft telegram.

Faithfully yours,

Enclosure:  
Draft telegram.

The President,  
The White House.

PS/A1

PORTION OF MESSAGE FROM SECRETARY OF STATE TO THE AMERICAN AMBASSADOR AT  
KUIBYSHEV DATED MAY 19, 1942

The following summarizes a memo which was left with the Under Secretary by the Polish Ambassador recently:

Since the Soviet Government has further delayed the carrying out of provisions of Polish-Soviet agreements regarding (1) evacuation from Russia to Iran of Polish military and civilians (2) further means by which Polish military officials could recruit Polish soldiers in the Soviet Union (3) delays in carrying out the release of both prisoners of war and civilian deportees, the Polish Government has sent instructions to their Ambassador to the Soviet Union asking him to deliver a note to that government requesting the fulfillment of obligations concerning these three points.

The memo continues that since it is very important to complete evacuations at this time particularly of Polish military to Iran, and since it is necessary to expedite the equipping and reconditioning of these Polish forces for Near East active service, the Polish Ambassador in Washington was asked to approach the Secretary of State to see if the United States Government could support the effort in this matter which the Polish Government is making at Kuibyshev.

You are authorized whenever the opportunities present themselves to express the American Government's hope that Soviet authorities will interpret as liberally as circumstances permit its various agreements with the Polish Government. In expressing such hopes, it is felt that you will be able to indicate clearly that we do not wish to intervene in differences which are certain to arise from time to time between the two governments in the carrying out of these agreements, and that we do not wish to take sides in disputes regarding citizenship of individuals but that it is our conviction that the Soviet authorities by displaying a generous attitude will materially advance the common war effort by encouraging a spirit of greater confidence between two of Eastern Europe's most important United Nations.

Mr. MITCHELL. This is the memorandum that was attached to the letter, sir.

(Mr. Mitchell referred to Mr. Welles' covering letter addressed to the President describing the memorandum.)

Mr. WELLES. May I say again, Mr. Chairman, that after the lapse of 10 or 12 years it is very difficult for me to remember with any accuracy some of the documents that have formed a part of the records, but I will do my best to be as accurate as I can.

I believe that is correct.

Mr. MITCHELL. Mr. Welles, do you acknowledge that?

Mr. WELLES. That is entirely correct.

Mr. DONDERO. Mr. Welles, will you speak a little louder? Some of these young folks can't hear you.

Mr. WELLES. I apologize, Mr. Congressman. I have a bad cold, and it is difficult to talk out.

Mr. DONDERO. That is a mitigating circumstance.

Mr. MITCHELL. Mr. Welles, this letter is dated May 13, 1942. Now, this morning Admiral Standley testified that he had received a briefing from State Department officials, among which, in the course of his instructions, was the question of the Polish situation then in Moscow. You also heard him testify that when he arrived in Moscow he received a telegram or a cablegram telling him not to carry out what his briefing instructions were.

Now, he arrived there in April 1942. This is a memorandum or letter to the President by you dated May 13, 1942. Can you explain to this committee what happened in the high level discussions which prevented Admiral Standley from carrying out the instructions he had when he left the United States of America?



Mr. WELLES. Let me make it clear, in the first place, that with regard to the briefing of Admiral Standley I took no detailed part. I remember having a general conversation with the admiral before he left. The specific instructions that he was given were not matters that were familiar to me.

In general terms, however, I can say this: Our chief and overriding objective at that time was the war effort. I am sure the members of the committee will remember the moment when all of this took place. They were very dark and perilous times.

The second objective was that in line with our traditional policy, we wanted to do everything we could to insure that after the war Poland would again become a free, independent, and self-governing nation and that any friction that might develop between the Soviet Union and Poland at that time, which was not of major importance, should, so far as possible, be avoided.

I think I am speaking with entire accuracy when I say that this line of thought that I am putting before the members of the committee now represents the line of thought that General Sikorski himself expressed to me when he came back from his visit to the Soviet Union which, if I remember correctly, was at the end of 1941 or the beginning of 1942.

In other words, when it came to the establishment of the citizenship of one individual, we were not in a position, through our embassy in Moscow, to ascertain whether that particular individual was a Soviet citizen or a Polish citizen; and it was in order to avoid minor questions of that kind—minor as they seemed in proportion to the major objectives—that I assume those instructions were changed.

Chairman MADDEN. I believe the committee would be very much interested in and that it would facilitate the testimony greatly if Mr. Welles would desire to make a general statement touching on the facts and circumstances connected with the Polish officers who disappeared in the Katyn massacre. I think that if you care to elaborate along those lines—and you have heard the testimony of Admiral Standley—and touch on some of the testimony that was given here this morning, it would probably aid greatly in presenting your testimony if you so desire to proceed.

Mr. WELLES. I will be most happy to have that privilege, Mr. Chairman.

Chairman MADDEN. Proceed.

Mr. WELLES. It so happens that I myself saw a great deal of General Sikorski when he came to the United States on his several visits. I formed the highest admiration for him. I have rarely seen a more broad-gaged statesman or a more devoted patriot. And at the time of what I am sure was his assassination I felt as if I had lost a personal friend.

I think that his point of view at the beginning, when the Polish Government in exile was established in London, was that something concrete could be accomplished by negotiation between the Government in exile of Poland and the Soviet Government. I think he felt that there were even grounds for encouragement when he came back from that famous trip of his to Moscow.

But as the months passed and the situation became more and more intolerable and the Soviet Government refused to carry out any of the commitments that had been made with regard to the repatriation

of Polish forces, particularly to Iran or to the Middle East, I think General Sikorski became as disconsolate as Dr. Benes must have been in the last months of his life since he made the same attempt without any success.

May I refer in that connection to a message that was read this morning which I myself have not previously seen. It was a message addressed by President Roosevelt to Mr. Stalin. I think the reference in that message, if I may dare to interpret, that President Roosevelt made to Sikorski's attempt with regard to the Katyn massacre was not that it showed lack of common sense in its objective but in its method.

It seems to me that what the President deplored was the fact that General Sikorski had not taken him or Prime Minister Churchill into consultation before taking the step which otherwise would seem to be altogether well-advised. At that time there was no League of Nations; there was no United Nations.

There was no international body of any kind except the International Red Cross that could be regarded as respectable, impartial, and international in its character; and it seemed to me that General Sikorski's idea was altogether well taken. However, what the President regretted was that what had been taken precipitously was without prior consultation with the other two governments that had been working so closely with him to better the relations between the Soviet Government and the Polish Government in exile.

Mr. MITCHELL. Do you care to proceed?

Mr. MACHROWITZ. In connection with that, may I ask a question, Mr. Welles. Would you consider that the action, whether it was ill-advised or not, was such an action that would justify the severing of relations between Poland and Russia?

Mr. WELLES. Decidedly not. And it seems to me that the point that was brought out in the testimony this morning is altogether sound, that is, that that step was merely a pretext for a policy that had been determined upon some time before.

Mr. DONDERO. Mr. Welles, may I just add my view as to what the chairman said. What we want to know from you as Under Secretary of State of this Nation is what you know took place in regard to the Katyn massacre from 1939 up until 1943. That is the point.

Mr. WELLES. Unfortunately, without having refreshed my memory by going all through the memoranda that are on file in the Department of State and some of which I had hoped to see this morning, it would be quite impossible for me to go into it in any detailed way. There is very little I can add to what has been brought out this morning.

Mr. SHEEHAN. Mr. Secretary, did I understand you to say that the position taken this morning with reference to this development of the breaking of the Polish-Russian relationship was of long standing? Did you say that position was unsound?

Mr. WELLES. No; I said quite the contrary, Mr. Congressman.

Mr. SHEEHAN. That it was sound?

Mr. WELLES. What I said was that what was brought out this morning seemed to be entirely correct, that the severance of relations on the basis of the attempt of the Polish Government to get the International Red Cross to make a survey and an investigation was merely a pretext for a policy that had already been determined upon by the Soviet Government some time before.

Mr. MACHROWICZ. Mr. Welles, would you say that if General Sikorski had consulted the United States Government at the time, the United States Government would have agreed to the request for an investigation by the International Red Cross?

Mr. WELLES. I am quite certain that the President would have regarded it sympathetically, and insofar as I myself was concerned I most certainly would have urged it.

Mr. MACHROWICZ. Do you feel that the British Government would have done so?

Mr. WELLES. I am quite sure of it.

Mr. MACHROWICZ. Then what harm was there done in making that request?

Mr. WELLES. Simply that it afforded the Soviet Government the opportunity for breaking relations, which otherwise could conceivably have been averted for at least a while.

Mr. MACHROWICZ. You just stated that they had planned severing relations anyway sooner or later. It was just a question of finding some pretext.

Mr. WELLES. I said that that had been brought out clearly this morning, but unfortunately we were not aware of that at the time.

Chairman MADDEN. Mr. Welles, you mentioned the assassination of General Sikorski. Could you elaborate on that somewhat?

Mr. WELLES. I have always believed that there was sabotage. You will remember, Mr. Chairman, that he was brought down in the plane just as he was taking off from Gibraltar. The plane crashed. There had been two or three incidents of that kind before. I remember that when General Sikorski came to the United States the year before, his plane, in taking off from Montreal, had crashed when it was only about 100 feet above the ground.

To put it mildly, it would seem to be a coincidence.

Mr. O'KONSKI. Was it not generally conceded that both Molotov and Stalin had certain commitments that they had made to General Sikorski and that they knew that if he were out of the way they could possibly get around them?

Mr. WELLES. I don't know whether it is generally conceded or not, but it is certainly conceivable.

Mr. SHEEHAN. Mr. Secretary, in your position in the State Department, were you informed of the fact from various of our Ambassadors that Russia was contemplating this breaking off of Polish relations?

Mr. WELLES. Not that I recall; no.

Mr. SHEEHAN. On May 2, 1943, there was a telegram to the Secretary of State from Ambassador Winant in London, who pointed out that as early as January 16, 1943, when Russia declared all Poles to be Russian citizens, that was the beginning of this break-off. The Ambassador in London wired on April 21, 1943, pointing out that the British Foreign Office felt all the time that this was motivated by Russian desires to reinforce and give expression to her territorial expansion.

In other words, our Ambassador sends information in. Who does it go to? Who follows through on it?

**Mr. WELLES.** Mr. Chairman, undoubtedly we all of us realized that the situation was deteriorating rapidly, but an immediate break of relations of that character was not evident.

**Mr. SHEEHAN.** Well, it seemed to our Ambassadors and our military attachés, who were sending in information to the Secretary of State and to the Under Secretary, that these things should be called to your attention because the mere fact that Russia was going to break off relations with one of our allies, Poland, was not a small matter. That was quite a significant matter.

**Mr. WELLES.** We were doing everything in our power to avert it. I was aware of that.

**Mr. DONDERO.** Mr. Welles, when did the item of the Katyn massacre first come to the attention of the State Department, if you can recall?

**Mr. WELLES.** There again, Mr. Chairman, I am sorry to say that I would have to refresh my memory by looking at the files; and I have not been given that opportunity.

**Mr. DONDERO.** Can you fix it reasonably as to year or month?

**Mr. WELLES.** Well, I think that what was brought out this morning, Mr. Congressman, by Admiral Standley makes that very clear.

**Mr. O'KONSKI.** When this atrocity was announced to the world first by the Germans, was there any concern in the State Department to have liaison, for instance, with G-2 of our military service and other branches of the service that could get some information on it? Was there any honest effort on the part of the State Department to pin the responsibility of the crime, or was the policy one of being fearful that it might further antagonize the Russians and that we had better not take the chance?

**Mr. WELLES.** No; I don't think that was the case. I think that at the beginning we were rather definitely confused as to the responsibility for the crime. Certainly there is nothing in the history of the Nazi government nor of the Nazi authorities which would have put it beyond them to undertake such a massacre because I must remind you that the facts came out very slowly and that by the time I had left the Department of State—and I have forgotten whether that was late July or early August 1943—very little had yet leaked out.

**Mr. O'KONSKI.** Did the State Department, to your knowledge, send any request to neutral countries like Switzerland and Sweden and Spain, and we had connections with the Vatican? They had information on this. Was any attempt made by your Department to get information from them on this massacre? After all, they were neutral countries.

**Mr. WELLES.** Mr. Chairman, I am sure that such an effort was made as soon as the facts began to become more evident.

**Chairman MADDEN.** I have here a document dated June 24, 1942, signed by Sumner Welles to General Watson. I will ask the counsel to submit this to the witness so that he can identify it.

**Mr. PUCINSKI.** Mr. Chairman, you might point out that that is a photostated copy, and Mr. Welles' signature is not on this copy.

**Chairman MADDEN.** It speaks for itself. It is a photostat. Mark this document as exhibit 21 and the counsel will please read it to the committee.

**EXHIBIT 21**

My dear General Watson:

There are enclosed herewith copies of Mr. Biddle's strictly confidential despatches, nos. 158, June 2, 1942 and 159, June 2, 1942 which were marked for the President.

The despatches are concerned with conversations which took place in May between Ambassador Biddle and General Sikorski regarding, respectively, missing Polish officers in Russia, and the evacuation of Polish children from Russia.

Sincerely yours,

Enclosures:

From Ambassador Biddle,  
nos. 158 and 159 of  
June 2, 1942.

JUN 24 1942  
Major General Edwin M. Watson,  
Secretary to the President,  
The White House.



EMBASSY OF THE  
UNITED STATES OF AMERICA

near the Polish Government

LOHACH, June 2, 1942

No. 158.



Subject: General Sikorski's  
conversation regarding  
missing Polish officers  
in Russia.

June 24, 1942



FOR THE SECRETARY OF STATE AND ALL OTHERS CONCERNED.

The Honorable  
The Secretary of State,  
Washington.

Sir:

Supplementing my despatch Polish Series No. 157,  
June 2, 1942, I have the honor to report that in  
recent conversation with General Sikorski he said,  
in effect, the following:

MISSING OFFICERS. In summer 1940 several

thousands/

FILED  
JUNE 9 1942



-2-

thousands of Polish officers prisoners of war, who were kept in 3 camps in Central Russia (Ostashkov, Starobylsk, Kozelsk) were taken to an unknown destination in the Far North of Russia. Since then they have not been heard of. Their number has been variously described but is usually accepted as 8,300; 1/3 of whom are professional officers and 2/3 reserve officers. The latter are for the most part professional men including about 800 physicians and many University professors and lecturers as well as a number of distinguished specialists. The Polish Military authorities have lists covering over 4,800 of these officers. These lists have been communicated to Stalin. The Soviet Government have many times been requested to release them. They invariably replied that every available prisoner of war in Russia had already been released. This statement is obviously inaccurate. There are reasons to believe that the officers in question have been deported to Franz-Joseph Islands, North of Spitzbergen, and to North-Eastern Siberia to camps on the river Kolyma, in the North of the Yakut Republic. It is more than probable that most of them have died of hunger, scurvy and cold. If the supposition as to their places of imprisonment is correct, there are but two months or summer when for technical reasons they could be brought back to Russia. Or, on the other hand, they could either be brought via the Kolyma River to Alaska or from Franz-Joseph Islands to Iceland. The absence of these officers is the principal reason of the shortage of officers in the Polish Forces in Russia, whither officers from Scotland had to be sent lately.

The/



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The possible death of these men, most of whom have superior education, would be a severe blow to the Polish national life. Their evacuation during the present summer seems to be the last chance to save those who may still be alive.

In concluding his remarks, the General said that he felt confident that if in the course of pending conversations with the Russians in Washington, our authorities concerned were to express an interest in the above-mentioned problem, the Russians might act favorably in the matter.

Respectfully yours,

*A. J. Drexel Biddle*  
A. J. Drexel Biddle, Jr.

(In duplicate).

Mr. MITCHELL. Mr. Chairman, this letter is dated June 24, 1942, and states:

MY DEAR GENERAL WATSON: There are enclosed herewith copies of Mr. Biddle's strictly confidential dispatches, Nos. 158, June 2, 1942, and 159, June 2, 1942, which were marked for the President.

The dispatches are concerned with conversations which took place in May between Ambassador Biddle and General Sikorski regarding, respectively, missing Polish officers in Russia and the evacuation of Polish children from Russia.

Sincerely yours,

SUMNER WELLES.

Enclosures: From Ambassador Biddle, Nos. 158 and 159 of June 2, 1942.

Maj. Gen. EDWIN M. WATSON,  
Secretary to the President,  
The White House.

The attachment to that letter is as follows:

EMBASSY OF THE UNITED STATES OF AMERICA,  
Near the Polish Government, London, June 2, 1942.

No. 158

Subject: General Sikorski's conversation regarding missing Polish officers in Russia.

For: The President, the Secretary, and the Under Secretary.

The honorable the SECRETARY OF STATE,  
Washington.

SIR: Supplementing my dispatch Polish series No. 157, June 2, 1942, I have the honor to report that in recent conversation with General Sikorski he said, in effect, the following:

*Missing officers.*—In summer 1940 several thousands of Polish officers, prisoners of war, who were kept in three camps in central Russia (Ostashkov, Starobyelsk, Kozelsk) were taken to an unknown destination in the far north of Russia. Since then they have not been heard of. Their number has been variously described, but it is usually accepted as 8,300, one-third of whom are professional officers and two-thirds reserve officers. The latter are for the most part professional men, including about 800 physicians and many university professors and lecturers as well as a number of distinguished specialists.

The Polish military authorities have lists covering over 4,800 of these officers. These lists have been communicated to Stalin. The Soviet Government have many times been requested to release them. They invariably replied that every available prisoner of war in Russia had already been released. This statement is obviously inaccurate. There are reasons to believe that the officers in question have been deported to Franz Joseph Islands, north of Spitzbergen, and to northeastern Siberia to camps on the River Kolyma in the north of the Yakut Republic. It is more than probable that most of them have died of hunger, scurvy, and cold.

If the supposition as to their places of imprisonment is correct, there are but 2 months of summer when, for technical reasons, they could be brought back to Russia. Or, on the other hand, they could either be brought via the Kolyma River to Alaska or from Franz Joseph Islands to Iceland. The absence of these officers is the principal reason of the shortage of officers in the Polish forces in Russia, whither officers from Scotland had to be sent lately. The possible death of these men, most of whom have superior education, would be a severe blow to the Polish national life. Their evacuation during the present summer seems to be the last chance to save those who may still be alive.

In concluding his remarks, the General said that he felt confident that if in the course of pending conversations with the Russians in Washington our authorities concerned were to express an interest in the above-mentioned problem, the Russians might act favorably in the matter.

Respectfully yours,

A. J. DREXEL BIDDLE, Jr.

(In quintuplicate.)

Mr. Welles, do you acknowledge this document?  
Mr. WELLES. I do.

Mr. MITCHELL. This morning, Mr. Welles, Admiral Standley told us that he had never seen the dispatch from Moscow dated January 1942.

Mr. WELLES. I think it was February.

Mr. MITCHELL. February 1942, because he was en route to Moscow. Mr. Brown, of the Department of State, revealed that it did not reach the Department of State until April 1942. Now, from Moscow, through Admiral Standley later, and from London through Mr. Biddle, come practically the same story to the Department of State regarding this. There are also the conversations that took place between Stalin, Vishinsky, Molotov, Beria, General Anders, Ambassador Kot, and General Sikorski about these missing officers.

Now, our Department of State knew about all of these. There was no explanation for the missing officers. Could you elaborate on that?

Mr. WELLES. May I ask, Mr. Chairman, whether any attempt has been made to search the memoranda of conversations between the Secretary of State and the several Soviet Ambassadors in Washington at that time or my own conversations? I am very familiar, now that I have read this document, with all of the facts set forth, and I know that I have discussed them many times.

Mr. MITCHELL. No effort has been made because we didn't know about it. An effort will be made.

Mr. SHEEHAN. Did we ask the State Department to surrender all of the documents on this case?

Mr. MITCHELL. Yes, sir.

Mr. SHEEHAN. Have they surrendered those documents referred to?

Mr. MITCHELL. I have not seen those documents.

Mr. MACHROWICZ. In answer to Mr. Welles' question, the answer should be made that we made a request of the Department of State to furnish all of the pertinent documents in connection with these matters, and we have been furnished documents, and those you refer to have not been included. Is that correct?

Mr. MITCHELL. These are not memoranda of conversations between officials of the Soviet Union here in Washington and Mr. Welles or others. We have not received any of those.

Mr. MACHROWICZ. I think Mr. Chairman, that while we are on that subject the representative of the Department of State should be asked if those documents are in their possession and if so why they have not been turned over.

Chairman MADDEN. Mr. Brown is in the hearing room. He has been sworn. Will you propound the question to him, Mr. Counsel?

Mr. DONDERO. If he heard the question, why not let him answer it?

Mr. BROWN. Mr. Chairman, I did not hear the question. I was out of the room and just came back in.

Mr. MITCHELL. Mr. Brown, the question is this: Mr. Welles has raised the question as to whether the committee has seen the memoranda of record of conversations that transpired between himself, other State Department officials, and those of officials of the Russian Embassy here in Washington. I stated that I have not seen these memoranda. The question is now: Are they available?

Mr. BROWN. Mr. Mitchell, I frankly cannot answer that question. We asked for the files on everything connected with the subject matter, and I have not seen those documents. I will immediately call back and have a further search made.

Were these on the subject of the Katyn massacre?

Mr. MITCHELL. Missing Polish officers. Maybe Mr. Welles can identify them better.

Mr. WELLES. May I make a suggestion, Mr. Chairman?

Chairman MADDEN. Proceed.

Mr. WELLES. There were a great many conversations, Mr. Brown, between the various Soviet Ambassadors and myself and between them and Mr. Hull. Very often they had to do mainly with complaints of the Soviet Union that they were not getting sufficient lend-lease or something of that kind. But very often in those conversations some reference would be made to other matters. That is the reason that I think a search might be useful.

I want to add this, which is of the utmost importance: The President, unfortunately, very rarely had the habit of keeping memoranda of his conversations with foreign diplomats or visiting foreign statesmen, and I have every reason to believe that this matter was taken up by him very frequently both with Mr. Litvinof and Mr. Molotov when he came.

Mr. MITCHELL. Did you say that he had the habit or that he did not have the habit?

Mr. WELLES. He did not have the habit of keeping memoranda of conversations.

Mr. MITCHELL. Can you recall, or can you to the best of your ability tell us, what transpired during your conversations relative to this subject, your conversations with those representatives?

Mr. WELLES. Well, whatever representations I made were entirely along the lines that were discussed this morning, that nothing could be worse for relations between the United Nations than for this deteriorating situation between Poland and the Soviet Union to continue and that the interests of the United States in Poland were well known to the Soviet Government. I think certainly General Sikorski and the Polish Government in exile in London were very definitely of the opinion that the early steps that had been taken—and I am now speaking of the period before 1942—to release divisions of Polish soldiers or refugees to go to Iran and other parts of the Middle East were due to the interests displayed by the United States.

Mr. MITCHELL. Throughout this testimony we have continually heard that the Soviet officials never gave any kind of explanation for these missing Polish officers. The United States Government knew they were missing. The British knew they were missing. But no question was raised at the time of Katyn concerning the missing Polish officers. Rather it was looked at as a German atrocity, and as a Nazi atrocity. Can you explain why, with all of the background, and the wealth of material, and all of these conversations that they had, the Nazis were suspected rather than the Russians when the Russians hadn't given any explanation?

Mr. WELLES. The crime perpetrated against Poland was perpetrated by two great powers, Germany and Russia. I don't think that we felt that there was any distinction between the two of them insofar as the kind of atrocities that they perpetrated were involved; and there was nothing, in my judgment, at the outset to indicate that these particular officers referred to in that dispatch from Ambassador Biddle were the same who were later found to be massacred at Katyn. I think it took some time for the facts to be assembled and for the testimony to become conclusive.

**Mr. MITCHELL.** That is true, but the Germans formed an international medical commission which went in there and found documents on these bodies which proved that they had been in those graves in the spring of 1940, April and May 1940.

**Mr. WELLES.** I don't think we had very much——

**Mr. MITCHELL.** That was made available to the entire world on April 30, 1943, after they had left Smolensk.

**Mr. WELLES.** I don't think that in the spring of 1943 we had very much reason to put faith in the truth of anything that the Nazi Government put out.

**Mr. MITCHELL.** This was signed by Dr. Naville, a Swiss neutral.

**Mr. O'KONSKI.** What reason was there why we should have put faith in what the Russians said?

**Mr. WELLES.** I beg pardon?

**Mr. O'KONSKI.** What reason was there to put faith in what the Russians said and did?

**Mr. WELLES.** At that particular time, of course, we were fighting on the side that the Russians were fighting on. We were making every effort to have a joint war effort.

**Mr. O'KONSKI.** Did not you people in the State Department know that already Russia had never kept a commitment, had never kept an agreement, had violated every treaty of aggression that they had ever had? Did not you people know that? In other words, you people are always willing, which is all right, to throw the responsibility to the Germans, which they deserve, and to say that because they were so vicious they must have been guilty, and that it is hard to conceive that the Russians could do it when anybody who knows anything about the world situation and Communist history knows that their record was just as bad as that of Hitler. But you are willing to accept one at face value and not the other.

**Mr. WELLES.** Mr. Chairman, may I remind the Congressman that two gentlemen who are certainly not Communists, namely, Mr. Winston Churchill in the House of Commons, and Admiral William D. Leahy, have both publicly stated in writing that during the war and up to that time the Soviet Government had meticulously kept its agreements.

**Mr. MACHROWICZ.** I don't think this committee is going to give too much credence to what Mr. Churchill said. There are a lot of things that he said that this committee does not take much cognizance of.

**Mr. WELLES.** We were under that impression at that particular moment and hoped that it might turn out that way.

**Mr. SHEEHAN.** Mr. Chairman, may I point out for the members of our committee and for the press: Too frequently they think that our committee is interested only in the fact that the Katyn murder of officers had something to do with the Polish question. I might point out that I understand a telegram will be read into the record a little later which points out that the British Foreign Office was also very interested in the disappearance of the Polish officers because, in a telegram which was sent to the Secretary of State, our Ambassador pointed out the fact and emphasized the fact that not only are the Polish armed forces in this country, meaning those in England, affected by a continuation of the present Russian attitude, but the Polish troops in the Middle East, totaling over 100,000 soldiers who were fully equipped and who would prove to be a valuable armed force, are becoming dissatisfied.

In other words, England and the United States had a Polish Army ready and willing and able, but without officers. So, from our standpoint, not only were we interested in the Katyn massacre, but our allies were interested in getting officers to man soldiers for our armies. So everyone was cognizant that the State Department and the British Foreign Office were vitally interested in this matter in 1943. Therefore, I think you will agree that, as you stated, there were many conversations on this matter because of the importance of more soldiers for the allied cause. Do you agree with that?

Mr. WELLES. I agree entirely. I also think that our efforts in the earlier years to which I referred before did prove determining in getting out several divisions of Polish troops and officers and women and children.

Mr. DONDERO. Mr. Welles, the Germans made known to the world the finding of these graves, and the 12 doctors signed this graveside protocol some time, I think, in May 1943. Did that come to the attention of the State Department?

Mr. WELLES. It undoubtedly must have come to the attention of the Department, Mr. Congressman. I can't specifically recall at this moment.

Mr. MACHROWICZ. Mr. Welles, you stated, I believe, some time ago that there was no reason to doubt the good faith of our then ally, the Soviet Union. Was there any reason to doubt the good faith of our other faithful ally, the Polish Government, at the time?

Mr. WELLES. None whatever.

Mr. MACHROWICZ. And the Department did have information from the Polish Government definitely indicating Russian guilt for the Katyn massacre, did it not?

Mr. WELLES. I think it had later what I would call determining evidence. Now, whether that was available as early as the date that you fixed, Mr. Congressman, I do not remember.

Mr. MACHROWICZ. Did you find anything in the attitude of the Polish Government officials which would indicate anything but a desire to settle their differences with Russia in an amicable manner?

Mr. WELLES. From beginning to end, Mr. Congressman, I found nothing but a consistent desire on the part of the Polish Government in exile and, I repeat, particularly on the part of General Sikorski, to find a way out of the impasse through negotiation. I think no man could have done more than he did to that end.

Mr. MACHROWICZ. Mr. Welles, looking now in retrospect, don't you think the whole difficulty was that our Government looked too much toward appeasing Soviet Russia as opposed probably to some of the firm steps recommended by people of the type of Ambassador Standley and others? Would not a little more firmness probably have helped the situation at the time?

Mr. WELLES. It is a very difficult thing to answer in the light of hindsight, Mr. Congressman. As I look at it today, I think you are entirely correct. As we looked at it then, of course, the success of the war effort was the major effort; and I must remind the members of the committee that the one overshadowing fear on the part of our military authorities at that time was a separate peace on the part of the Soviet Government with Germany.

Mr. O'KONSKI. That is the point I was driving at. In other words, Mr. Welles, the overshadowing thought and the governing policy of

our leaders at that time was to go easy with respect to anything that might antagonize Russia? The fact that there were 10,000 to 15,000 officers involved didn't make any difference? If there had been 100,000, 150,000, or 500,000, the policy would have been still the same? In other words, there was a general fear, unfounded, in my opinion, but in existence at that time that nothing must be done to antagonize good old Soviet Russia, so go easy on everything, no matter what ghastly crimes they commit and no matter how many treaties they violate and no matter how much they insult us? We still have to go easy on them because we need them as an ally. Wasn't that really the governing policy?

Mr. WELLES. No, I would not go nearly as far as that, Mr. Congressman; but I think that all of us must agree that at that moment the overshadowing consideration was winning the war, and we had a mighty difficult time in establishing decent relations with the Soviet Union.

If some of these memoranda do come to the committee, you will see that I sat in, I think, 40 conferences with the Soviet Ambassador to try to ease things over way back in 1939 and 1940 at the time when they were allied with Germany in order to prevent them from going too far.

Mr. DONDERO. Mr. Welles, did it come to your attention or to the attention of your Department at that time that the Soviets or Russia at first refused or, I would say, discouraged any foreign aid from us and that lend-lease had to be forced upon them, as Admiral Standley testified?

Mr. WELLES. I frankly was surprised by Admiral Standley's statement this morning because that had never been my impression. Of course, he was one of the early negotiators, and I was not; but I can assure you that when they came to the point where they were receiving lend-lease every request I got was for more and not for less.

Mr. O'KONSKI. In fact, it continued even after the war, did it not?

Mr. WELLES. Why, certainly.

Mr. MACHROWICZ. Did you at any time in your conversations with the President urge the recall of Mr. Standley because of the firmness of his position?

Mr. WELLES. Well, Admiral Standley made that statement this morning. I think, frankly, it was unfortunate; that is, the remark that he made at that particular moment; but I do not remember going nearly so far as he has in mind.

Mr. MACHROWICZ. Can you tell us how far you did go?

Mr. WELLES. I don't think I actually took any step in that direction, if I remember correctly.

Mr. SHEEHAN. Mr. Secretary, Admiral Standley this morning stated something to the effect that Col. Henry Szymanski, who had been a military attaché, I believe, in Cairo, was being thought of for the post of military attaché in Moscow, and then, apparently at the last minute, the order was rescinded. Do you know anything about that?

Mr. WELLES. Nothing whatever. That would have been a matter, then, for the War Department, not for us.

Mr. SHEEHAN. They determined that policy?

Mr. WELLES. Yes.

Chairman MADDEN. Mr. Pucinski, did you have some questions?



Mr. PUCINSKI. Yes, Mr. Chairman. May we introduce this document as exhibit 22?

Chairman MADDEN. Exhibit 22 is a communication addressed by the Embassy of the United States to the Premier of the Polish Government. This can be identified as exhibit 22.

(The letter referred to, dated May 20, 1943, was marked "Exhibit No. 22," and follows:)

EXHIBIT 22—REPORT AND EVIDENCE COMPILED BY POLES REGARDING DISCOVERY AT KATYN FORWARDED TO UNDER SECRETARY SUMNER WELLES BY AMBASSADOR BIDDLE ON MAY 20, 1943

EMBASSY OF THE  
UNITED STATES OF AMERICA,  
Near the Polish Government,  
May 20, 1943.

No. 316.

Subject: Referring to my Despatch Polish Series No. 158, June 2, 1942, and to my Cable Polish Series No. 19, April 23, 1943 (7 p. m.); attaching copies of a secret report from Polish Military Intelligence concerning the missing Polish Officers in Russia; outline of report; observations; article by Colonel Berling, Polish officer, attacking Polish forces evacuated to Iran; Vishinsky's subsequent attack; factors calling for consideration in light of potential bearing upon Russia's forward-looking political-military policy vis-à-vis the "Middle Zone" in general.

*For the President, the Secretary and Under Secretary*

The Honorable the SECRETARY OF STATE,  
Washington.

SIR: Referring to my Despatch Polish Series No. 158, June 2, 1942 and my cable Polish Series No. 19, April 23, 1943 (7 p. m.), I have the honor to forward the attached copies of a secret report from the Polish Military Intelligence concerning the missing Polish officers in Russia.

*Outline of secret report*

This report, based upon information from all available confidential sources, is divided into seven parts:

The first part gives information dating from before the Polish-Soviet Pact of 1941.

The second part deals with diplomatic intervention: a démarche by Ambassador Kot, immediately upon the establishment of a Polish-Russian diplomatic relations in 1941.

The third part cites the various methods employed by Polish sources in gathering information about the missing, following the refusal by the Soviet authorities to give any information whatsoever concerning them.

Part four (a) deals with the discovery of the grave near Smolensk, according to a telegram received from Poland on April 13, 1943 (It was late in the evening of that same day that I first heard mention of the alleged massacre in the German broadcasts.); and (b) gives a chronological summary of the principal developments in the resultant Polish-Russian controversy, which led up to the suspension of diplomatic relations.

Part five reports on the present state of information in possession of the Polish Government.

Part six is a résumé.

Part seven, entitled "Forecasts", suggests that if the present suspension should pass into a severance of diplomatic relations, there may be expected the formation of an "Independent Polish Government" in Moscow. This the "Forecast" continues, would probably not proclaim Communist ideas, but would pursue the indefinite policy represented by the WOLNA POLSKA (published in Moscow), which proclaimed a Polish program of a vague nature, based on the Soviet Union. The "Forecast" goes on to suggest that "should such a government be created, an 'independent' Polish Army may be expected to appear in the U. S. S. R."

***Observations: Articles by Colonel Berling, Polish officer in Russia, attacking Polish Forces which evacuated to Iran***

In this connection, *WOLNA POLSKA*, edited by Wanda Wasilewska, the wife of Dr. Kornechuk, the Ukrainian vice-Commissar of U. S. S. R. Foreign Affairs, has already carried an article by Colonel Berling, a Polish officer, to effect that he was prepared to organise and lead a Polish armed force at the side of the Red Army. In this article, Colonel Berling stated he had refused to leave for Iran with the rest of the Polish Army under General Anders. He bitterly criticised the General and the forces under his command for having refused to fight shoulder-to-shoulder with the Red Army. Moreover, he accused the Military Intelligence of these Polish forces of having engaged, among other activities, in espionage in Russia, collecting information regarding Soviet farms, plants, and army depots.

This article appeared in the London *DAILY WORKER* on May 6, the day following its publication in the Moscow *WOLNA POLSKA*. My interest was engaged, among other aspects, by the fact that in conversation, several days previously, with Ambassador Bogomolov, he had pointedly cited the same points, but without mentioning Colonel Berling's name. Moreover, the Ambassador presented the points in approximately the same form in which they subsequently appeared in the article.

***Vyshinsky's subsequent attack***

I, therefore, have the very definite impression that Bogomolov had had the article in his hands for some days in advance of its publication; that its actual publication, both in Moscow and here, was timed as a tactical forerunner for the following day's (May 7) release of Vice-Commissar for Foreign Affairs Vishinsky's blast against the Poles on similar counts. It was apparent to my mind, that in emphasising these, Vyshinsky meant to exploit them, on the one hand, for the benefit of Russian policy; on the other hand, to discredit the Polish Government and its armed forces. For example, I have the impression that Vishinsky emphasized the following points for the reasons indicated:

- (a) the espionage charge, by way of justifying the Russian authorities' having closed down the Polish Welfare Organisation in Russia;
- (b) the charge that the Polish forces had refused to fight at the side of the Red Army, by way of attempting to discredit, in the eyes of the people in Poland, those and other Polish forces outside Russia, as potential forces of liberation; this, with a view to bringing the Polish people to look to the Red Army and the Polish units at its side, for their deliverance.

***Factors calling for consideration in light of their potential bearing upon Russia's forward-looking political-military policy vis-à-vis the "Middle Zone" in general***

In connection with this aspect, the following factors, to my mind, call for consideration in light of their potential bearing upon Russia's forward-looking political-military policy vis-à-vis the "Middle Zone" in general:

- (a) in several of my conversations with Ambassador Bogomolov, during the course of the recent Polish-Russian controversy, which led to the suspension of diplomatic relations, he pointedly referred to a public utterance which General Sikorski had made several months ago, and which was subsequently published in the Polish papers here. In this statement the General had in effect stressed the importance that Poland be liberated by British, American, and Polish forces. Bogomolov said that, under the circumstances, this idea seemed highly impracticable. The fact that the Allied Forces of the West had not yet launched a Continental invasion, together with the proximity of the Red Army to Poland, made it sufficiently clear as to which of the Allied Forces was the one to which Poland would have to look for its liberation. If Sikorski and the military authorities of the Western Allies, he continued, could show him *when* and *how* they might propose to march eastward past Berlin to liberate Poland, he had no doubt that such a plan would meet with a hearty welcome in Russia. However, in absence of evidence of any such plan, he could only return to his original thought: that the natural liberator of Poland, under the circumstances, was the

Red Army. On each of the several occasions that Bogomolov underlined this point, he concluded by pointing out on his map the proximity of the Red Army to "that general area";

Respectfully yours,

A. J. Drexel Biddle, Jr.  
A. J. DREXEL BIDDLE, Jr.

AJDBJr: JS  
In triplicate.  
Enclosure:<sup>1</sup> as stated.

[Enclosure No. 1 to Despatch Polish Series No. 136. Dated May 20, 1942, from the Embassy at London]

#### I. INFORMATION DATING FROM BEFORE THE POLISH-SOVIET PACT OF 1941

1. On the basis of correspondence with Poland, the Polish authorities knew that a large number of officers and men, taken prisoner by the Soviet authorities, had been concentrated in about 100 camps. It was established on the basis of the same information that officers and cadet officers, as well as State Police officers and men and members of the gendarmerie were concentrated in three camps, i. e., KOZIELSK, STAROBIELSK, and OSTASZKOW (in the last-mentioned the police and gendarmerie were concentrated). As far as officers taken prisoner after the capitulation of Lwow are concerned, this was a definite violation by the Soviets of the conditions of the capitulation, Paragraph 8 of which granted personal freedom to officers, and even envisaged their journey to other countries. The number of officers staying in KOZIELSK and STAROBIELSK was calculated at the time at approximately 9,500 and the number detained in the camp at OSTASZKOW at approximately 10,000.

2. In the middle of 1941 a report on the subject of these camps was forwarded from Poland. This report had been drawn up on the basis of secret reports sent in by men specially sent to Soviet Russia for that purpose; these men had stayed in Russian territories up to October 1940. The figures contained in the report agreed with data already in the possession of the Polish authorities; the report also confirmed the liquidation of the camps in April 1940—a matter also known—with the additional information that small groups of officers from all these three camps had been found in a new camp in GŁAZOWIEC.

#### II. DIPLOMATIC INTERVENTION

Immediately upon the establishment of diplomatic relations the Polish Government started the following interventions:

1. The first demarche was made by Ambassador Kot in his conversation with STALIN and MOLOTOV. He received the evasive reply that the Soviet authorities were quite unaware of the whereabouts of these officers, that they had been released like all the others, and that the Soviet authorities did not possess any lists of the above-mentioned camps. In view of this state of affairs attempts were made by the Polish Embassy at KUIBYSHEV to draw up a list of the missing officers on the basis of statements made by officers who had arrived from the camp at GŁAZOWIEC and on the basis of letters from the families of these officers which had been deported together with a large part of the civilian population from Poland to the U. S. S. R. In this way a list comprising 3,845 names was drawn up.

2. This list was handed by General SIKORSKI to STALIN on 3.12.41. During a conversation on the subject, STALIN stated for the second time that they had probably become scattered, had possibly crossed over to the Germans, or had possibly escaped to Manchuria. In any case there was no mention whatever of their having allegedly been sent to do fortification work in the region of SMOLENSK and had subsequently been rounded up by the Germans.

3. On 18.3.42. General ANDERS, in a conversation with STALIN, handed him an additional list of about 800 names and was given the same evasive answers.

4. In May 1942, the Polish Embassy deposited with the People's Komisariat for Foreign Affairs an exhaustive memorandum concerning the results of the action taken on behalf of Polish citizens, of which an enormous number were still detained in Soviet prisons in contravention of the Polish-Soviet Pact. This memorandum again mentioned the case of the missing officers. The Soviet reply, dated 10.7.42. contained the following sentence: "With regard to the Polish offi-

<sup>1</sup> See my Despatch Yugoslav Series No. 6, January 7, 1942.

cers, mentioned in Para 3 of the Embassy's memorandum \* \* \* it is the opinion of the People's Komisarariat for Foreign Affairs that it is impossible to reach the conclusion that the decree of 19.8.41 has not, as alleged, been applied to a large number of Polish officers."

### III. THE GATHERING OF NEWS ABOUT THE MISSING

Since the Soviet authorities refused any information whatsoever about the missing officers, the Embassy and the Command of the Polish army started investigations on their own. As rumours began to circulate stating that large numbers of Polish officers had been deported to the far North, and that some barges, loaded with these officers had capsized, or possibly been expressly sunk in the ARCTIC OCEAN, and that some of these officers, who survived, were working in the mines in FRANZ JOSEPH LAND, NOVAYA ZEMLYA, and the KOLYMA region (Eastern Siberia), men were sent out to investigate these rumours; nowhere, however, were any traces found of these officers, and men sent to FRANZ JOSEPH LAND and NOVAYA ZEMLYA never even returned from their search.

The possibilities of finding the missing officers were now regarded with pessimism, especially in view of certain remarks dropped en passant by the highest Soviet dignitaries. For example, BERIA, in a conversation with Colonel BERLING, an officer of the Polish Army who had been won over by the Soviet authorities, when talking about the camps at KOZIELSK and STAROBIELSK, stated twice: "My z nimi dzielali bolszuj oszybku"; MARKULOW said in a conversation with General ANDERS: "U nas wyszla kakaja to oszybka."

No one, at that time, made even the slightest mention of the version published a few days ago by the TASS Agency, that officers from the KOZIELSK camp had been sent to do fortification work in the SMOLENSK region and had been rounded up by the Germans, although such a version, were it true, would clear the Soviet authorities to a large extent. It should be pointed out here, that among the officers in the KOZIELSK camp there were many elderly men on the retired list, such as General BOHATYREWICZ (aged 75) whose body was identified by the Germans in the KATYN grave.

The general opinion of the Poles in Russia on the subject of the missing officers which was current at that time was the following:

From all the three camps, the Soviet authorities had removed small groups (totalling several hundred persons) for camouflage and show purposes; these were formed into a normal prisoners' camp at GRIAZOWIEC which was handed over to the Polish authorities after the conclusion of the Pact in 1941. The huge majority of the prisoners was sent by a circuitous route, with all traces obliterated, to the concentration camps in the North and to the mines in NOVAYA ZEMLYA and FRANZ JOSEPH LAND; during this process part of them were drowned accidentally or deliberately in the ARCTIC OCEAN, and the rest perished in the camps owing to the appalling conditions. It is possible that such a very small handful of them remains, that, fearing revelations, the Soviets do not wish to show them.

### IV. DISCOVERY OF THE GRAVE NEAR SMOLENSK

1. On 13.4.43. a telegram was received from Poland announcing the discovery of the grave by the Germans. The telegram stated that the grave near SMOLENSK had been seen by Poles, who were taken there by the German authorities, that the fact was undoubtedly authentic, and public opinion in Poland was deeply stirred.

2. On 13.4.43. the first German broadcasts on the subject were heard.

3. On 15.4.43. the first mention, of a general nature, appeared in Polish papers published in Great Britain, with strong reservations as to the truth of the revelations.

4. On 16.4.43. General KUKIEL's communiqué was published in LONDON.

5. On 16. 4. 43. a telegram was sent by the Polish F. O. to Berne, with the instructions that the International Red Cross should be approached. The memorandum in question was deposited by the Polish delegate in the offices of the International Red Cross at 16.30 on 17. 4. 43.

6. On 17. 4. 43. the Polish Government published its declaration.

7. On 20. 4. 43. the Polish Minister for Foreign Affairs addressed a Note on the subject to the U. S. S. R. Ambassador to the Polish Government, BOGOMOLOV, asking him for an elucidation of the matter in view of the German revelations.

8. On 21. 4. 43. a telegram was received from Poland, giving the composition of the Polish delegation which, acting under the compulsion of the German authorities, states the telegram, proceeded to SMOLENSK. The telegram at the

same time explains the fact of so late a discovery of the grave near **SMOLENSK**, a fact of which Soviet propaganda made full use. The telegram states that the first persons to pay attention to the grave were Polish workers, brought there by the Germans for earthworks. It was these Poles, for whom it was easier than for the Germans to communicate with the local population, who learned from the local people that there was a grave of Polish prisoners of war in the **KATYN** wood. The workers, not knowing what it was all about, only put up two birch wood crosses on the grave. In the first months of 1943 this was learned by the German I. S., which carried out investigations among the local population. The investigations established the fact that in March and April 1940 numerous executions had taken place in that wood. Polish prisoners of war were brought there. One of the local inhabitants stated that while working on the railway, he had seen documents showing that wagons had come from **KOZIELSK**. The prisoners were taken to the wood in lorries. Learning this, the Germans started exhumations. The telegram further stated that the German authorities had already taken the Polish delegation to **SMOLENSK** by air by 10. 4. 43. Details brought back by the Polish delegation prove the absolute authenticity of the facts. The bodies were identified on the basis of letters, notes and diaries, not dated later than March and April 1940.

9. On 24. 4. 43. another telegram was received from Poland, giving further details. The group of Poles who had travelled to **SMOLENSK** did so under strong compulsion from the Germans, without being authorized to do so by the secret Polish authorities. German propaganda on this subject in Poland has gone berserk. At the same time, the Germans have become more lenient in their attitude towards the Poles; for example, the principle of collective responsibility has been abandoned. The reaction of the Polish people is a tremendous indignation against the Bolsheviks, but at the same time analogous murders by the Germans are also stressed. The Germans are sending further groups of Poles to view the grave at **SMOLENSK**. So far 3000 bodies have been exhumed and 200 identified.

10. On 25.4.43. the Soviet Government addressed a Note to the Polish Government suspending diplomatic relations.

#### V. PRESENT STATE OF INFORMATION IN THE POSSESSION OF THE POLISH GOVERNMENT

1. Several score names of massacred officers identified by the Germans figured on the incomplete list drawn up by the Polish Embassy at **KUIBYSHEV**, which was handed by General **SIKORSKI** to **STALIN**.

2. After the German revelations, investigations were resumed and a few details were noted to which previously no great importance had been attached owing to the general prevailing opinion that these prisoners of war had been deported to the far North. For example: Cadet-officer (Air Force) **FURTEK** (who was in **KOZIELSK**, and, later on, was taken to the camp in **GRIAZOWIEC** together with a small group of men saved, and who, on release, after the conclusion of the Polish-Soviet Pact, volunteered for service in the Polish Army and is now in Great Britain) stated that when travelling from **KOZIELSK** in a prison-wagon, he had discovered on the wall of the wagon an inscription, made by one of the previous groups of prisoners deported from the **KOZIELSK** camp, stating that they were being detrained at the second station beyond **SMOLENSK** and that from the barred windows of the prison wagon they could see waiting lorries. The same inscription is remembered by **ZEJMA**, a captain of the Polish navy, who was travelling by the same convoy as **FURTEK**. Irrespective of these statements, a telegram was received from General **ANDERS** stating that two Polish officers in the Polish Army in the East, who also escaped from **KOZIELSK** in a similar manner to that of **FURTEK** and **ZEJMA**, had seen the same inscriptions. Captain **P. H.**, also with General **ANDERS'** army, had seen a similar inscription as late as August 1940, when he was being taken from prison in **BIALYSTOK**, to the concentration camp in **KOTLAS**. Finally, Lieutenant **St. S.**, who is also now in the Middle East, stated that on 30.4.40 when he was being deported to the camps in the North, he had seen a convoy of officers from **KOZIELSK**, being detrained from 10-20 kms. north west of **SMOLENSK**. It should be stressed here that all the names identified by the Germans and found in the list of 3,845, were on that latter list noted down as names of prisoners from **KOZIELSK**. But no names of persons from the **STAROBIELSK** camp have been found.

With regard to the **STAROBIELSK** camp, a statement was made by 2nd Lt. **KAFEL**, M. D., now attached to the Polish Medical Section of the University of Edinburgh, to the effect that when travelling from **STAROBIELSK** with that group which was sent to the **GRIAZOWIEC** camp, he had seen on the wall of

the prison-wagon an inscription, made by one of the previous groups, stating that their lot was being detrained in KHARKOV. KAFEL himself, during the stop at KHARKOV, started a conversation with a Soviet worker who was cleaning the wagon, who told him: "Your companions were detrained here, but you are going further." General ANDERS, too, mentions a similar inscription, without giving any more details.

With regard to the camp at OSTASZKOW—no information whatever has as yet been obtained.

#### VI. RÉSUMÉ

On the basis of information so far at hand, one may reconstruct in a few words the fate of these three officers' camps in the following manner:

In March or April 1940, the highest Soviet authorities decided upon the liquidation of the camps. In order to obliterate all traces, a small group was taken from each camp and transferred to the camp at GRIAZOWIEC, which was given over to the Polish authorities after the conclusion of the Polish-Soviet Pact.

The remainder were liquidated in the following way:

KOZIELSK—by mass execution in the KATYN wood.

STAROBIELSK—either by mass executions in the vicinity of KHARKOV or by deportation to the Far North and accidental or deliberate sinking of the whole transport or a considerable part in it in the ARCTIC OCEAN. It is possible, though not very likely, that there are small numbers of survivors in the concentration camps in the North or in the mines mentioned before.

OSTASZKOW—not known.

#### VII. FORECASTS

If the present suspension of diplomatic relations, contained in the last Note of the Soviet Government, should pass into a severance of relations, then we may anticipate that in the nearest future an "Independent Polish Government" will be formed and proclaimed in MOSCOW. This government would most probably not proclaim Communist ideals, but would follow the indefinite policy represented by the "WOLNA POLSKA" published in MOSCOW, which proclaims a Polish program of a vague nature, based on the Soviet Union, and expressed in patriotic generalisations.

Should such a "government" be created, one may assume that an "independent" Polish army will appear in the U. S. S. R.; we have already had information about its formation by the Soviets. The creation of such a government and such an army would probably be preceded by a press campaign, expressed in letters to the editors of "WOLNA POLSKA" and "NOWE WIDNOKREGI" edited by WANDA WASILEWSKA, and written by "indignant Polish patriots" wishing to separate themselves from the "incomprehensible moves of the government of General SIKORSKI, who is assailed by the influence of Fascists and GOEBBEL'S agents, hidden in his entourage, or something of this kind.

Mr. MACHROWICZ. Mr. Chairman, another indication of the appeasement policy at that time is this expression: "Near the Polish Government." They were afraid to antagonize the Russians by addressing it to the Polish Ambassador. That is a very new phrase.

Mr. SHEEHAN. Did they say how near?

Mr. MACHROWICZ. No.

Mr. WELLES. I may be wrong, Mr. Chairman, but I think we used that phraseology for all of the governments in exile. I don't think there is any distinction.

Mr. MACHROWICZ. I think that is true for fear of antagonizing the Russians.

Mr. WELLES. Oh, no.

Mr. MACHROWICZ. What was the reason?

Mr. WELLES. Because they were not in their own capital. They were not in control of their own sovereign territory.

I see that it is marked on this, Mr. Chairman, that I have read it, so I assume that I have. I must have.

Mr. PUCINSKI. Mr. Welles, I wonder if I could ask you a few questions?

Mr. WELLES. Yes, sir.

Chairman MADDEN. Will you identify that?

Mr. PUCINSKI. This has been admitted as exhibit 22. I wonder if we can establish a little chronology here.

When did you, as Under Secretary of State, first come to realize that there was a vast pool of Polish soldiers in Russia that could be helpful to the Allied cause? When did you first realize that?

Mr. WELLES. Considerably before December 1941.

Mr. PUCINSKI. Then through the efforts of the State Department you did encourage or rather the United States did encourage the forming of this army; is that right?

Mr. WELLES. Decidedly; yes.

Mr. PUCINSKI. Can you tell us why this Polish Army was regarded as of potential value?

Mr. WELLES. It had potential value for two reasons: First, because of the assistance that the Soviet Union could get at the time in defending itself against Germany; and, second, for the reasons that have already been brought out, for military operations in the Near East.

Mr. PUCINSKI. Now, you have just identified this exhibit 22, which is a memorandum sent to the Department of State by Ambassador Anthony J. Drexel Biddle on May 20, 1943. Do you recall seeing this?

Mr. WELLES. It is stamped with the stamp of my office, but I think I must point out that in the days which I was living through at that time it would have been practically impossible for me to have read every long dispatch that came in. But I have no doubt that while it did pass through my office it was actually taken care of by some other official in the Department.

Mr. PUCINSKI. Earlier this morning we had introduced as exhibit 14 a document sent to the State Department by the Ambassador who preceded Mr. Standley. Do you recall that document?

Mr. WELLES. Yes.

Mr. PUCINSKI. In that document is included a rather long report by Captain Czapski on the search for these Polish officers.

Mr. WELLES. That was referred to this morning. I don't remember ever having seen it.

Mr. PUCINSKI. You do not recall having seen it?

Mr. WELLES. No.

Mr. PUCINSKI. Well, the only thing I was trying to get straight in my mind here, in assembling all of this information on Katyn, is what is the relative measure in weight—I mean where did the Polish Army stand in your considerations in the State Department, not as a humanitarian move toward Poland but as a realistic military effort to win the war?

Mr. WELLES. My impression was very strong, after the many conferences I had with General Sikorski, that they could be of far greater value in north Africa or in Italy.

Mr. PUCINSKI. And it was because of that opinion and that impression that efforts had been made by this Government to locate or help locate their officers?

Mr. WELLES. Well, I think you are limiting it too much, Mr. Pucinski. I say again that I think there had been a traditional and very close friendship between Poland and the United States; and I think that when the Polish Government in exile asked us to use our best efforts for their benefit it was more than natural for us to



do it, quite apart from strategic considerations, although, of course, those came into it.

Mr. PUCINSKI. When you discovered that these intellectual leaders of Poland and the leaders of this potential army on which you were counting—and I think we have had mention of many instances where the United States was counting on this Polish Army—when you learned that these men had been massacred in Katyn, what sort of reaction did that create in the State Department?

Mr. WELLES. I think you are now asking about a reaction that probably took place after I had already gone.

Mr. PUCINSKI. If I understood you correctly, sir; you did not leave until July of 1943?

Mr. WELLES. That is right.

Mr. PUCINSKI. Exhibit 22, which I have just shown you and which has been identified, bears a rubber stamp indicating that it had gone over your desk at least and is dated May 20, 1943.

Mr. WELLES. That is quite right.

Mr. PUCINSKI. Now, that was some time before you left.

Mr. WELLES. But may I say again that I think that at first the situation was too confused for us to evaluate it as it later proved it should have been evaluated. There was no absolute certainty at that time as to who was responsible.

Mr. PUCINSKI. At the beginning of the hearing this afternoon, Mr. Madden said that we are now in the second phase of our investigation to try and determine whether or not there was any deliberate effort made by the various agencies in this country and other countries to suppress the knowledge about Katyn and also to keep from the American people the real meaning of this thing. What was your reaction? What was the attitude on this whole Katyn affair in the State Department at that time?

Mr. WELLES. To the best of my knowledge and belief, until I left there was never the slightest effort to play it down or to keep it quiet for reasons of appeasement of Russia. It had to do solely with our uncertainty as to what the real facts were.

Mr. PUCINSKI. But you think the fact of the matter is that Poland, who at that time was an ally of the United States, was of secondary consideration as compared to Russia, which was the first consideration? Is that a fair assumption?

Mr. WELLES. It is very difficult for me to attempt to make the balance that you request. It seems to me that the two things are separate. Here you have the Soviet Union that was not a government in exile that actually was fighting, and that was of the utmost assistance to us at that time. For traditional reasons or for reasons of sentiment, for reasons of justice and honor, we wanted to do everything we could to assist the Polish Government in exile, to get everything that we could out of the Russians for their benefit, for the primary purpose of reestablishing after the war, as I have said before, a free and independent Poland governed by the Polish people themselves according to their own desires.

I don't think you can balance those two things.

Mr. DONDERO. I would like to ask a question on this subject. The Ambassador from Poland to Moscow testified before this committee that over a period of about 2 years they made 50 separate and distinct requests of the Russian Government regarding these missing

Polish officers. Did the Embassy here in Washington—and I refer to the Polish Embassy—make known to our Embassy, or our State Department rather, the information that they were requesting the Russian Government to disclose the whereabouts of those officers?

Mr. WELLES. Do I understand correctly, Mr. Congressman, that you asked whether the Polish Embassy in Washington made that known to the State Department?

Mr. DONDERO. Yes.

Mr. WELLES. That is, made known that their Ambassador in Moscow was making these requests?

Mr. DONDERO. Yes.

Mr. WELLES. By all means; certainly.

Mr. DONDERO. And you knew that?

Mr. WELLES. Decidedly, yes. I think the Ambassadors for 2 years before I left the Department brought it up constantly in every conversation.

Mr. DONDERO. Now, those 2 years would be before the Germans made it known to the world in 1943; so, it must have been in 1941 and 1942?

Mr. WELLES. I should think it would have begun as early as 1941, Mr. Congressman. Here again it is a matter of record. All of those conversations are on file in the Department, the conversations that I ever had.

Mr. SHEEHAN. Mr. Secretary, if I might give an expression of opinion on this, as I recall, you left in 1943. Prior to that, being in the Government service for so long, naturally, in your high position, you had occasion to know about the many, many agreements with Russia since the recognition in 1933. And you knew and there came across your desk information about which agreements were kept and which were not kept, because in the Eightieth Congress, if my memory serves me right, a congressional committee showed 14 printed pages of agreements that were broken with Russia.

Now, in your position as one of the high-level policy advisors—and there came across your desk the various broken agreements—can you say what was the position of our Government in 1942 and 1943 about Russia? Did they think that sometime they could come to a general agreement with Russia on contractual obligations, or was this a desire to go on with the war only?

Mr. WELLES. I think the primary desire, of course, was to go on with the war successfully, to a successful conclusion. But I think that certainly—and probably some of the members of the committee will agree with me—we would never have gone into the United Nations if we had not thought that there was a reasonable chance that we could bring the Soviet Government to cooperate rather than to be antagonistic.

Mr. SHEEHAN. Of course, that is one of the places where we on the Katyn Committee are very much interested because quite a few of our members feel that if this famous Van Vliet report, which was missing, had been revealed to the American public in May 1945, when it was brought up and when it disappeared from the Army Intelligence—if that had been revealed to the Government or to the American public, there would have been a sufficient hue and cry and clamor about relations with Soviet Russia to the extent that some of us think, as I personally think, the United Nations would never have come into being.

That is one of the reasons why I think some of us think this report was suppressed.

Mr. WELLES. I am not familiar with that report.

Mr. SHEEHAN. The Van Vliet report, for your information, was made in May of 1945.

Mr. MITCHELL. It was dated May 24, 1945.

Mr. SHEEHAN. That was while the United Nations was in progress and while there was a rupture between Poland and Russia as to who was going to represent Poland. An American officer came back and stated to General Bissell that, in his opinion and in the opinion of another Army man, the Russians had committed this particular crime. Of course, we feel that the disappearance of this report and many other reports of a similar nature in the Army Intelligence and in the State Department and throughout our Government shows that someplace along the line there were people at the top echelon of the Government trying to protect Russia's interests. That is the only conclusion I can come to.

Mr. WELLES. Mr. Chairman, I am testifying under oath, and I can state with complete conviction that I have never participated in the suppression of anything of the character that has been mentioned.

Mr. O'KONSKI. Mr. Welles, do you now see any difference between Stalin and Hitler, judging from subsequent events?

Mr. WELLES. From the general standpoint, they are both of them authoritarian dictators, utterly ruthless in their methods. I suppose that if you get into details you can point out differences. But, so far as the main lines are concerned, I think one authoritarian totalitarian regime is as objectionable as another.

Mr. O'KONSKI. Do you think that Stalin was always that way or that he got that way since he got all of the lend-lease he received from us in 1945?

Mr. WELLES. If you read, as I have read recently, the political biography of Stalin, I should say that there has been no change intrinsically in his character from the beginning until the present moment.

Mr. O'KONSKI. In other words, summarizing this from my viewpoint, we just guessed badly and made a very bad gamble, and we lost. Is that correct?

Mr. WELLES. I suppose that is one way of putting it.

Mr. MACHROWICZ. Of course, that partially answers my question, but I would like to have you answer this, if you feel that you would like to. Do you feel now, looking back at the facts as they look today, that if our Government had adopted a more firm policy toward Soviet Russia in those fateful days of 1942 and 1943 much of our difficulties in the world today would have been avoided?

Mr. WELLES. I would like to answer that categorically, but I don't think I can because it seems to me there are imponderables there. I have never yet known to my own satisfaction how much truth there was in the idea of a further arrangement with Germany. After all, it had taken place in 1939. Germany had then broken it by invading Poland. It is conceivable that it could have happened over again.

Mr. MACHROWICZ. I agree with you, but that avoids the question.

Mr. WELLES. I did not wish to avoid it.

Mr. MACHROWICZ. My question is not asked as to our position toward Germany, but rather our position toward Russia. I agree 100

percent that there is very little difference between Stalin and Hitler as far as their totalitarian methods are concerned; but don't you think that if we had adopted a more firm policy toward Soviet Russia, and particularly toward its demands with regard to Poland and other similar situations, that we could have avoided much of the troubles of the world today?

Mr. WELLES. As it has turned out, the answer to your question, I think, is clearly "Yes."

Mr. MACHROWICZ. That is all.

Mr. WELLES. But I do want to make a reservation. Hard pressed as they were in the winter of 1942, if we had told the Russians that they were not going to accomplish anything in the world that they wanted, it might easily have been possible for them to turn around and try to sue for a separate peace with the German Government all over again.

Mr. O'KONSKI. Following through on that, now that you know what the conditions of the world are and now that you know what Hitler was and what Joe Stalin was, do you really think that it was possible for those two mad dogs to get together and make an agreement and keep it?

Mr. WELLES. Not keep it; no.

Mr. O'KONSKI. Of course not.

Mr. WELLES. Not definitely, but very much to our inconvenience for a short time.

Mr. DONDERO. They did keep it up until at least June 21, 1941?

Mr. WELLES. That is right.

Chairman MADDEN. Are there any further questions?

Mr. MITCHELL. Mr. Chairman, I would like to at this time ask a question of opinion. You will recall this morning that when we put on the record exhibit 14 from Ambassador Standley to the Department of State, dated April 28, this one phrase was in that dispatch:

In the second place, there does not appear to be any Polish leader who would have sufficient stature to make such a government popular.

Mr. WELLES. He was talking about the Polish Communist leaders in the Soviet Union.

Mr. MITCHELL. I would like to have you give your opinion, in the light of then and now, because—

Mr. WELLES. I am wholeheartedly in accord with that evaluation. I think all of the Polish leaders with ability sufficient to lead their country out of the tragic situation it finds itself in are either still in occupied Poland or outside in the rest of the world. I don't think they are in the Soviet Union.

Mr. MITCHELL. I asked you that question because that leads us to Yalta and what happened at Yalta about the formation of a free Polish Government. I know that you were not in the Department of State at that time, but I would like to know whether you would like to comment. You are aware that all of Yalta has been declassified now.

Mr. WELLES. I think it is preferable for me not to attempt to make that estimate now. There are many of us who will make it. I was not on the scene, as you have said. I was not behind the scenes. I was no longer in touch with all of the secret information that was passing over the desks at the various agencies of Government. But I think,

without having had all of that information, it would be very difficult fairly to evaluate what was then done.

Mr. MITCHELL. Thank you, sir. I have no further questions.

Chairman MADDEN. Mr. Secretary, I have just one final question, and this is merely asking for a comment that has nothing whatsoever to do with this hearing. Judging from your long experience in international affairs, the committee would be interested in getting your thoughts regarding the similarity of the actions of the Russian leaders, Stalin, Molotov, Vishinsky, regarding the disappearance of these Polish officers, and when they postponed and stalled the Polish leaders for almost 2 years, giving them no satisfaction whatsoever, although they knew that these Polish officers had been murdered and massacred—do you find a similarity in their tactics with the Polish leaders, the free Polish Government, and the negotiations that they are now carrying on with the United Nations in Korea?

Mr. WELLES. I think there is a similarity in objective and a similarity in technique.

Chairman MADDEN. That is all.

We wish to thank you, Mr. Secretary, for your testimony. The testimony has been very valuable, and we appreciate your taking the time to come here and present it.

Mr. WELLES. Thank you, Mr. Chairman. I express my thanks to the committee for its great courtesy to me.

Chairman MADDEN. Thank you.

Mr. MITCHELL. Mr. Chairman, I wonder if we could take a recess for 10 minutes to give Mr. Harriman a chance to look over some papers.

Chairman MADDEN. Let's reduce that to 5 minutes. We will take a 5-minute recess.

(A short recess was taken.)

#### TESTIMONY OF HON. WILLIAM AVERELL HARRIMAN, DIRECTOR FOR MUTUAL SECURITY

Chairman MADDEN. Mr. Harriman, will you be sworn, please?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HARRIMAN. I do.

Chairman MADDEN. Please state your full name for the record.

Mr. HARRIMAN. My name is William Averell Harriman.

Chairman MADDEN. And your address, Mr. Harriman?

Mr. HARRIMAN. My address here in Washington?

Chairman MADDEN. Yes.

Mr. HARRIMAN. 1800 Foxhall Road.

Chairman MADDEN. And your business?

Mr. HARRIMAN. I am Director for Mutual Security.

Chairman MADDEN. Proceed, Mr. Counsel.

Mr. MITCHELL. Mr. Chairman, at this time I would like to summarize for the benefit of Mr. Harriman how far we have progressed with this hearing.

Mr. Harriman, it is my understanding that you became Ambassador to Soviet Russia in October 1943?

Mr. HARRIMAN. That is my recollection. It may have been September. I have forgotten when I was confirmed by the Senate, but I went

to Moscow with Secretary Hull to the Moscow Conference in the middle of October 1943.

Mr. MITCHELL. The committee has progressed to the point now in its investigation where dispatches, telegrams, memorandums of record, have been received over the period 1941-42-43, concerning the missing Polish officers and that all of these communications were in the Department of State, from both the Ambassador in Moscow and the Ambassador in London. Now, you participated in the discussions at Yalta, and the formation of the new, or what is today known as the Polish Provisional Government. They were in control during 1945 through 1947, until after the "free and unfettered" elections of 1947. Also, there is the matter of the 16 underground members of the Polish Government in exile who came out of hiding and were taken to Moscow in approximately April of 1945.

I am sure that you can tell us something about what transpired then.

Chairman MADDEN. Mr. Counsel, I think that if Mr. Harriman so desires, the committee would be interested in hearing his statement.

If you care to, Mr. Harriman, we would be glad to hear your statement of any points which you have, regarding your knowledge of the Katyn massacre, or the disappearance of the Polish officers, or any knowledge you have, as Ambassador, that is connected with the investigation of the committee. Would you care to make a statement? Whether it is a statement of a few minutes or 5 or 10, whatever you care to make, the committee would be glad to hear it, if you desire.

Mr. HARRIMAN. I imagine most of this has been gone over by the committee. I do not know that I can contribute anything to it. I was very much involved in my work in England. I made two trips to Moscow, one in 1941 and one in 1942.

Chairman MADDEN. The committee would be very much interested in hearing your impressions and versions concerning the facts of the Katyn massacre.

Mr. HARRIMAN. I have very little knowledge about it. I was sent to Moscow by President Roosevelt with an Anglo-American Commission, in which Lord Beaverbrook represented the British, in September 1941, and I was chairman of the American Commission. I had some contact with the Polish problem at that time, and I got to know General Sikorsky well because his government was in exile in London, and at the suggestion of the President, I did send a telegram to Stalin asking for the cooperation of the establishment of the Polish Army, and I have a letter coming from the Polish Government in exile, thanking me for my efforts, and indicating that it was of great use in establishing the first basis for this army.

Then there was a question, I think, at that time, of moving them to Persia for training. I had no knowledge of the missing officers, because I was so occupied with my work in London.

I, of course, do recall the announcement of the Germans of this massacre, but I had no knowledge of it except what I saw in the British press at that time.

I do recall seeing General Sikorsky after the event, after the Polish Government had asked the International Red Cross to make an investigation. General Sikorsky told me that he had been quite ill at the time and regretted that that particular request had been made, that led to the breaking off of relations between the Soviet and Polish

Governments] and he felt that the better way would have been to have handled it directly with the Soviet Government, as I recall it. That was recorded by Mr. Biddle, who was the Ambassador at that time to the Polish Government. General Sikorsky died, and I, of course, had no further contact with him.

The subject came up again when the Soviet Government invited the American press in Moscow to go to Katyn and witness the examination of the graves. At that time I thought it would be useful if a member of the Embassy went along. At that time it had not been the custom of the Soviet Government to invite members of the Diplomatic Corps to go with the foreign press, and I asked my daughter whether she would be willing to go, believing the Russians would be more likely to let her go than only an Embassy official. I therefore asked the Foreign Office to permit my daughter and a member of the American Embassy staff, Mr. John Melby, to go with the press. They did go, both of them, and they submitted their reports independently, of what they had seen, and their impressions. I forwarded the reports to the State Department, and sent a brief message to the President and the Secretary of State, recounting briefly what their impressions were. Beyond that I have no knowledge of or information regarding the interchange of information that existed in the requests for information about the officers or the details which were available in Washington or elsewhere regarding the Katyn massacre.

That is a brief summary of the background of my knowledge of those particular events.

Of course, constantly while I was Ambassador, there were discussions with the Soviet Government about recognition again of the Polish Government in London, and there were a number of different negotiations, of which Yalta was one, in regard to attempting to get the Soviet Government to agree to a Free Poland, and acceptance of the principles which the Government of the United States had set forth for protection of the Polish interests.

Mr. MITCHELL. Mr. Harriman, you have read exhibit 19, sent by Admiral Standley to the Secretary of State, dated April 28, 1943, in which he predicted the formation of a Free Polish Government. In that exhibit is this statement:

In the second place, there do not appear to be any Polish leaders here who have sufficient stature to make such a government popular.

That was April 28, 1943, about 15 days after the disclosure of the finding of the mass graves at Katyn.

Now, I assume that at least a copy of this dispatch was in the files at Kuybishev or Moscow when you took over the post of Ambassador?

Mr. HARRIMAN. I do not recall ever having read it. I did not send the telegram. I do not recall reading it until I was shown the telegram a short time ago. I think it is a sensible telegram.

Mr. MITCHELL. Certainly the subject matter must have been up for discussion in the high-level discussions at the time that you were negotiating and discussing Yalta. You were present at Yalta; were you not?

Mr. HARRIMAN. I was; yes.

Mr. MITCHELL. With this statement in the files of the Department of State and in Moscow, and with all of the other information that was available at that time, the leaders were the ones that were found



in Katyn. This statement specifically says that there is not any Polish leader here who would have sufficient stature to make such a government popular. I would like to ask you to explain to the committee just who were the Polish leaders in Moscow when you arrived there, and what was your knowledge of them?

Mr. HARRIMAN. I don't know any of them. Of course, when it came to Yalta, you will recall, the Soviet armies were in substantial occupation of the entire Poland, and they had established what we called the Lublin Government. Mr. Beirut was the head of it, and the list of Ministers I cannot recall now, but it is available. They had been established by the Soviet Government under the force of the Red Army as the ruling government in Poland.

Mr. MITCHELL. In Lublin?

Mr. HARRIMAN. Yes.

Mr. MITCHELL. But the Polish Government in exile maintained their headquarters in London at that time?

Mr. HARRIMAN. That is correct.

Mr. MITCHELL. At the same time you knew, when you were Ambassador to London, that the Polish Government also had underground leaders, the Polish Government in exile?

Mr. HARRIMAN. No; I was not our Ambassador in London. I was a special representative of the President, dealing with supply and shipping questions during the period I was in London. I was not involved in the diplomatic aspect of our Embassy in London.

Mr. MITCHELL. Certainly, General Sikorski, somewhere along the line must have told you that they had their people. In effect, there were two governments.

Mr. HARRIMAN. I was not familiar with the underground movement. I knew that one existed, but I was not familiar with the details of that.

Mr. MITCHELL. Can you explain to the committee why the Polish Government in exile, since they were then recognized by this Government, was not present at Yalta and since it concerned the subject matter of Poland?

Mr. HARRIMAN. There were no governments present at Yalta, with the exception of the British and the Soviet Government and the American Government, those three Governments. It was a tri-par-tite meeting.

Mr. MITCHELL. Can you tell us what transpired concerning the formation of this new government at Yalta?

Mr. HARRIMAN. There was at the time of Yalta the so-called Lublin Government, which had been established by the force of the Soviet Government. It had jurisdiction over the civilian affairs of Poland, because Poland by that time had been freed from German control by the Red army, and the Lublin government had taken over. The discussions in Yalta related to a broadening of the base of that Government, so as to include democratic leaders from within Poland and from outside of Poland, which, of course, included the London government. Agreements were reached at that time with Stalin, in which he undertook to cooperate with the American and the British Governments in the establishment of a broadly based democratic government, with the participation of the other leaders, both from within Poland and from outside, and the holding, as promptly as possible, of free and unfettered elections.

That agreement was reached, and the fact that Stalin broke that agreement is the reason why Poland is now still under Soviet domination.

Mr. MITCHELL. But, Mr. Harriman, at that particular time, and all during the war, Poland had been an ally of the United States and Great Britain, and the Soviet Union, during the latter stages of the war.

Mr. HARRIMAN. That is correct.

Mr. MITCHELL. The Government was recognized as the legal government of Poland. They were situated in London. What conferences took place or may have taken place which preceded Yalta, with the Polish leaders then?

Mr. HARRIMAN. I have no knowledge of that.

Mr. MITCHELL. Who brought up the subject of the broad base of representative government in Poland when all three, except the Soviet Union, which broke off diplomatic relations, as a result of it—

Mr. HARRIMAN. There had been discussions for a considerable period of time, over attempting to get the Soviet Government to recognize again the Polish Government in London as the Government of Poland. Those negotiations failed, and the Soviet Government went forward with its plan to set up this Lublin Government.

Mr. MITCHELL. Did the United States have to give in to the Soviet requirements? The Lublin Government was not recognized by the United States?

Mr. HARRIMAN. No; the Lublin Government was never recognized by the United States.

Mr. MITCHELL. The United States continued to recognize the government in exile, until July 5, 1945; is that correct?

Mr. HARRIMAN. That is correct.

Mr. MITCHELL. But yet, at the same time, the Government of the United States was negotiating for putting the Lublin Government into existence, without telling the Polish Government in exile what was going on?

Mr. HARRIMAN. I have no knowledge of what was told or not told the Polish Government in London. I do know that President Roosevelt, and also Prime Minister Churchill attempted to work out arrangements which would insure Poland's freedom, and that, I believe, they thought they had accomplished by the pledge of Stalin to hold free and unfettered elections. Now, that was the objective of President Roosevelt, to overcome what was the then existing fact, which was the occupation of Poland by the Red armies, the control of Poland by the Red army, and the establishment of this government, which was done through force, by the Soviets. That was a fact which existed at that time. The diplomatic negotiations having failed to bring about the recognition of the Polish Government in London by the Soviets, the President attempted to develop another means by which Poland would be free, and the Polish people would be protected from this new enslavement.

Mr. MITCHELL. Why could not the Polish Government in exile in London return to Poland after the war and hold those free and unfettered elections?

Mr. HARRIMAN. Because the Soviet Government refused to permit them to do so.

Mr. MITCHELL. Yet the United States and Great Britain went along and accepted the line of the Soviet Union.

Mr. HARRIMAN. No; the Lublin Government was never recognized. There was an attempt to set up a provisional government which would insure that there would be, with the cooperation of the British and American Governments, a free election in Poland, so that the Polish people would again have their freedom, and that this enslavement would then end.

Mr. MITCHELL. But at the time of Yalta, the United States Government representatives had information about the missing Polish officers, and they had never received a satisfactory explanation during 1941 and 1942. These were the leaders of Poland, found at Katyn. Admiral Standley tells us there was no individual in Moscow of sufficient stature to be a leader.

Was that subject considered? We knew at the time of Yalta that the Soviets never kept their word.

Mr. HARRIMAN. Number 1, the Lublin Government, as I recall it, were selected from people that came to Moscow subsequent to 1943. I do not remember when they came, but they were largely leaders who came from Poland, who had been working among the Communists in Poland. They were not people sitting in Moscow, but, as I recall it, they were the Poles who were brought out of Poland, who had been working to develop a Communist movement within Poland.

This idea that the Soviet Government did not keep its agreements is not fully true. The most important agreement during the war which was reached with the Soviet Government was the agreement for the Red army to attack the German forces shortly after our landing in Normandy. I think that one should recall that when we landed in Normandy there were 199 German divisions on the eastern front, the Russian front, and about 50 satellite divisions, whereas, if I remember correctly, there were some 60 German divisions in France and in the Low Countries, and our Chiefs of Staff were gravely concerned over the possibility of the Germans transferring from the eastern front a substantial number of their divisions, which would make the landings difficult or, possibly, the German forces would have been able to drive us back to the sea.

Now, Stalin made that agreement, and he kept it. He made that agreement at Tehran, and he kept it, and the Red army attacked a few weeks after our landing in Normandy and broke through this very large German force, and it was because of the keeping of that agreement that our successes on the western front were possible.

I think you will find that our military leaders at that time would substantiate that statement, and the keeping of that agreement was one of the factors which did influence both the American and British in terms of having hopes that the Soviets would cooperate in the peaceful solution of the problems which were concerning us at the end of the war.

Mr. MITCHELL. Mr. Harriman, you are familiar with the terms of the Atlantic Charter, of course?

Mr. HARRIMAN. Yes.

Mr. MITCHELL. One of the provisions of the Atlantic Charter was that there would be no territorial gains on the part of any of the Allies. Yet the United States Government and Great Britain participated in discussions—and I am not sure whether it was in Tehran or Yalta—

which in effect was determining the future boundaries of Poland, and it was a territorial gain for the Soviet Union. Can you explain that?

Mr. HARRIMAN. I am not an expert on the question of the eastern borders of Poland. You will have to ask somebody with the State Department about that, where the discussions were, but the Russians had contended—and I am not justifying the contention, but I am merely stating the fact—they had contended for a considerable period of time that the eastern borders of Poland had been unfairly made and that ethnologically there was a larger percentage of white Russians and Ukrainians in that area and that the agreement at the end of World War I was unfair to the Soviet interests.

I assume that was the reason why this discussion took place and was not considered to be perhaps a violation of the Atlantic Charter. (It was a correction, as far as the Russians contended—I am not saying that was a correction, actually, but the Russians contended that that was a rectification of an injustice which had previously been forced on them by the military situation at the end of the First World War.

Chairman MADDEN. Mr. Harriman, did I understand you to say that that was an unfair designation of the eastern border?

Mr. HARRIMAN. No—I am saying that was the Russian contention. I am just acting as a reporter. I am saying that that was the Russian contention.

Mr. MITCHELL. But here are the United States and Great Britain violating one of the terms of the Atlantic Charter because of a demand by the Soviet Union. Why could not that discussion have taken place after the war, after the Polish Government had gone back, and then they could have had the government? In effect, what happened was that the Soviets, because of the lack of leaders, due to Katyn, put the people they wanted into Poland, and the United States and Great Britain participated in Yalta or Tehran in violation of one of the provisions of the Atlantic Charter. You were there as one of the individuals at Yalta.

Mr. HARRIMAN. I was not involved in terms of the selection of the Curzon line. That was a proposal which I don't know the basis of. But this discussion was, as I say, in relation to the Soviet contention that a wrong had been done after World War I.

As far as I understand, President Roosevelt's objective was to relieve the Polish people at the earliest possible date, of their enslavement, and make it possible to help Poland rebuild her economic life. Everyone was generally familiar with the appalling conditions in Poland, and an attempt to help the Polish people regain their independence and to help them both through relief and economically rebuild their lives was made, and to alleviate the distress in which the people were then living.

So that that, I believe, was the main, or among the reasons why President Roosevelt thought it was extremely important to get the earliest possible settlement.

Mr. DONDERO. Mr. Harriman, right at that point let me ask: Was there ever a speedy action, as contemplated, a free election, as contemplated, in Poland?

Mr. HARRIMAN. Never.

Mr. DONDERO. Under the Lublin Government, or any other?

Mr. HARRIMAN. Never. There were never any free elections in Poland.

Mr. O'KONSKI. Mr. Ambassador, I do not ask this question to embarrass you, or cast any reflections, because I have a high regard for you, but just clear up the record and to get the motives that were operating.

Will you tell us what part Alger Hiss played in the Yalta Conference? What was his capacity?

Mr. HARRIMAN. I barely knew him. He was a young man that was carrying papers for Mr. Stettinius. I had no conversations with him. I had a general knowledge that he was one of the men working on the United Nations. He never participated in any of the discussions at which I was present.

Mr. O'KONSKI. Was he ever consulted on matters pertaining to the future of Poland?

Mr. HARRIMAN. Not that I know of. I understood that he was one of the men that had been working on the terms of the United Nations, but beyond that, I never knew that he was consulted.

Mr. O'KONSKI. His capacity, then, at Yalta, was more or less preliminary footwork, so to speak, to get the preliminary steps started toward the organization of the United Nations, and that, as far as you know, was his capacity at Yalta?

Mr. HARRIMAN. That is, as far as I know; and he never participated, as far as I can remember, in any discussions, whatsoever. He was a young man from the State Department who had some of the papers which Mr. Stettinius would call for.

Mr. O'KONSKI. Thank you.

Mr. SHEEHAN. Mr. Harriman, might I put some questions to you?

Mr. Hickerson, from the State Department, when he was here yesterday, testifying, stated that, as an outcome of the Yalta Conference, that three men were appointed to go over and see if they could consult with the Polish leaders and the Polish people with reference to working out some sort of situation or agreement. Those were Ambassador Clark Kerr, yourself, and Mr. Molotov. Could you tell us what happened at those conferences?

Mr. HARRIMAN. I can only tell you from memory, as I have not had access to any papers.

The three of us met in Moscow, as was provided by the Yalta agreement, shortly after the end of Yalta. There was a slight delay, as I recall it, because Sir Archibald Clark Kerr, the British Ambassador, returned by train and it took him a few days. We could not come to an agreement, and it ended in a deadlock.

As I recall, one of the issues was that we wanted to bring in some of the Poles in the London Government and some of the Polish leaders who were known to be in Poland. We could not get agreement with Mr. Molotov. If my recollection is right, the thing we broke on was Molotov insisting that we talk to the so-called Lublin Poles first and then talk to the others subsequently. Sir Archibald Clark Kerr and I took the point of view we should consult them together, and I think we broke on that basis and never got any further. I would have to refresh my memory to recall that, but they broke down completely, and nothing was accomplished.

Mr. SHEEHAN. As I understand, you were at Yalta. Were you at Tehran?

Mr. HARRIMAN. I was at Tehran also.

Mr. SHEEHAN. Were you at Potsdam?

Mr. HARRIMAN. I was at Potsdam also.

Mr. SHEEHAN. In all these conferences, did you participate in the high-level discussions, or were you, like Mr. Hiss—

Mr. HARRIMAN. I was in some of them, not in all of them, but I was in some of them.

Mr. SHEEHAN. Then permit me to ask you this: As I understand the Yalta Conference—

Mr. HARRIMAN. You see, there were conferences going on between the staffs, our Chiefs of Staff, the combined Chiefs of Staff, and the Soviet, and there were certain other discussions. Mr. Roosevelt and Mr. Churchill and Mr. Stalin had some discussions. I think I was in most of the conferences between Roosevelt, Churchill, and Stalin.

Mr. SHEEHAN. According to Mr. Byrnes, who was Secretary of State at the time of the Yalta conference, if my memory serves me right—

Mr. HARRIMAN. No, he was not Secretary of State. He came as an adviser to President Roosevelt. He was not Secretary of State at that time.

Mr. SHEEHAN. As I remember this situation—and the reason why we are bringing it in is to try to find out whether there was any question about the Poles involved—he stated the conference had broken up February 10 and most of them had departed, and then the conference went on for another 1 or 2 days. According to the history, Hiss stayed on and was with Mr. Roosevelt and Stalin, when a very small, select group, made further arrangements or commitments at Yalta. Do you know anything at all about that? Were you in that group?

Mr. HARRIMAN. Mr. Hiss had nothing to do with any of these discussions. There were some discussions at the last day or two of the Yalta Conference, in regard to the Far East and Russia's participation in the war against Japan. Those were the last discussions that took place in Yalta, if my memory is correct.

Mr. SHEEHAN. As far as you know, at Tehran, at Yalta, and Potsdam, did you engage in any discussions at all, with any of our officials or foreign officials, with reference to the missing Polish officers, or their problem?

Mr. HARRIMAN. No; I do not recall the subject came up.

Mr. SHEEHAN. However, I do know, unfortunately I do not think the State Department has paraphrased it, that as early as November 1941 you yourself had sent a message to Mr. Stalin in which you had asked about the Polish Army and the Polish officers, with a view toward finding when the Polish forces could be gotten into a fighting unit. And Mr. Stalin later sent you some telegrams and some information on that. I would like to have the counsel show this to you to see if you can recall it.

Mr. HARRIMAN. Yes; I sent a telegram to Mr. Stalin on November 7, as I recall it, at the request of the President. I would be glad to read this into the record, if you wish.

Mr. MITCHELL. Mr. Harriman, I believe we have a copy of that paraphrased.

Mr. HARRIMAN. Then I got two replies from Stalin, one that he would consider it, and then another one about a talk with Ambassador Kot, and then I have a letter from Raczynski in London. I was in London at that time. In it he says:

Beyond doubt, your telegram to Mr. Stalin was instrumental in breaking a very undesirable deadlock and facilitating General Sikorski's visit to Russia.

then he goes on and thanks me for the Polish Government for my efforts.

Chairman MADDEN. Mr. Harriman, I offer you what will be marked for identification as "Exhibit 23," which you can peruse, and ask you if that is the authentic message which you sent on November 7. That includes also the attachments to it. I think this is a paraphrase.

Mr. HARRIMAN. Yes, this seems to be a correct copy of the telegram I sent.

Chairman MADDEN. Group exhibit 23 is accepted in evidence.

Mr. SHEEHAN. If this other one is a paraphrase, I think it would be important as part of the record the telegram of November 14 from Mr. Harriman to Mr. Stalin, so that we know our Government was informed, and Mr. Harriman was cognizant of the fact that the Polish situation was of importance even as early as 1941, in November.

Chairman MADDEN. Is that in the exhibit?

Mr. MITCHELL. This is exhibit 18, and one of four attachments to it.

(The document was marked "Group Exhibit 23" and received for the record.)

#### EXHIBIT 23—MESSAGE FROM HARRIMAN TO STALIN OF NOVEMBER 7, 1941

The problem of the most effective ways of using unarmed Polish troops now in Russia has had close attention and, at the President's suggestion and after consulting with him I am bringing certain phases for your consideration to your direct attention. It is our understanding that these Polish forces are in the general region of the lower Volga and east of there, and that owing to the great strain on Soviet resources it is not possible for the Soviet Government fully to equip or utilize these troops. The problem therefore would appear to be one of reconditioning these troops to their greatest effectiveness under the terms of the understanding with the Polish Government that these troops are to fight as a national unit against Nazism. These troops are located in an area bordering vital regions whose defense is of joint interest to all who oppose the Nazi regime.

It is our suggestion that these Polish forces be assembled and sent to a designated area in Persia, and that this should be done with the agreement as well as the assistance of the Soviet Government. With American and British help these Poles might there be uniformed, armed, and reconditioned so that they could most quickly become a part of the fighting forces in the expectation that they would be sent to the Soviet Russian front.

In cooperation with the British we are conducting a survey which it is hoped will quickly ascertain the supplies necessary and the availability of material and the means by which supplies may be delivered to the Poles not only quickly but also with the least possible interference with transportation lines for supplying materials to the Soviet Union.

It would be deeply appreciated if you would express your general views on this subject. If you agree it would be helpful if you could inform us when and in what numbers it would be possible for the Polish forces to arrive at places outside the Soviet Union where our plans as discussed above could be put into operation.

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#### EXHIBIT 23A—AMBASSADOR HARRIMAN'S DISPATCH TO WASHINGTON

EMBASSY OF THE UNITED STATES OF AMERICA,

*London, December 1, 1941.*

The Honorable CORDELL HULL,

*Secretary of State, Department of State, Washington, D. C.*

DEAR MR. SECRETARY: I am sending you herewith, for the records, copies of two cables I have received from Stalin, as delivered to me by M. Maisky, in reply to a cable sent in my name to Stalin on November 12th.

I am enclosing also copy of a letter from Count Raczynski, the Polish Ambassador.

Yours sincerely,

(Signed) A. HARRIMAN.



## EXHIBIT 23B—MARSHAL STALIN'S FIRST REPLY TO AMBASSADOR HARRIMAN

14TH NOVEMBER, 1941.

MR. AVERELL HARRIMAN: Your telegram of the 12th November received. I have not yet had the possibility to acquaint myself with all the details of the Polish question in the U. S. S. R. In the course of two or three days, after studying this question, I will let you know the attitude of the Soviet Government. In any case you should have no doubts that the wishes of the Poles, as well as the interests of the friendly relations between the U. S. S. R. and Poland will be taken into account by the Soviet Government.

(Signed) STALIN.

## EXHIBIT 23C—MARSHAL STALIN'S SECOND REPLY TO AMBASSADOR HARRIMAN

27TH NOVEMBER, 1941.

MR. AVERELL HARRIMAN,  
% American Embassy.

DEAR MR. HARRIMAN: I am instructed to forward to you the following reply of M. Stalin to your telegram:

"I had recently a conversation with the Polish Ambassador to the U. S. S. R., Monsieur Kot. I received the impression that the U. S. S. R. and Poland have all the reasons and possibilities to settle all fundamental questions in which both parties are interested. For your information, I would like to point out that Monsieur Kot did not raise the question, during the conversation, of sending Polish military forces from the U. S. S. R. to any other country.

Yours sincerely,

STALIN."

(Signed) I. MAISKY.

## EXHIBIT 23D—POLISH EMBASSY LETTER TO AMBASSADOR HARRIMAN

POLISH EMBASSY,

47 Portland Place, London, W. 1, November 26, 1941.

MR. WILLIAM AVERELL HARRIMAN,  
Minister Plenipotentiary,  
Dorchester Hotel, Park Lane, W. 1.

DEAR MR. HARRIMAN: I feel it to be my duty to present to you the Polish Government's very sincere and cordial thanks for your help in our difficult conversations with the Soviet authorities regarding the formation of the Polish Army in Russia. It is beyond doubt that your telegram sent to M. Stalin was instrumental in breaking a very undesirable deadlock and in facilitating General Sikorski's visit to Russia. It is the very sincere hope of the Polish Government that this visit may bring all the expected results. That it will lay solid foundations for the establishment of our army in Russia and contribute to improve the position of our civil population in the Soviet Union.

Believe me,

Yours sincerely,

(Signed) EDWARD RACZYNSKI.

MR. MITCHELL. Did you want some of these read?

MR. SHEEHAN. On November 4 Mr. Harriman's telegram to Mr. Stalin, and the reply.

MR. HARRIMAN. That was November 7, 1941.

MR. SHEEHAN. Yes.

MR. MITCHELL. This is exhibit 23, message from Harriman to Stalin, November 7, 1941:

The problem of the most effective ways of using unarmed Polish troops now in Russia has had close attention and, at the President's suggestion, and after consulting with him, I am bringing certain phases for your consideration to your direct attention. It is our understanding that these Polish forces are in the general region of the lower Volga, and east of that, and that owing to the great strain on Soviet resources it is not possible for the Soviet Government fully to equip or utilize these troops. The problem, therefore, would appear to be one of reconditioning these troops to their greatest effectiveness, under the terms of the

understanding with the Polish Government that these troops are to fight as a national unit against nazism. These troops are located in an area bordering vital regions whose defense is of joint interest to all who oppose the Nazi regime.

It is our suggestion that these Polish forces be assembled and sent to a designated area in Persia and that this should be done with the agreement as well as with the assistance of the Soviet Government. With American and British help, these Poles might there be uniformed, armed, and reconditioned so that they could most quickly become a part of the fighting forces in the expectation that they would be sent to the Soviet Russian front. \* \* \*

Mr. SHEEHAN. Mr. Counsel, I think that is sufficient reading, because the rest of it just goes on out.

That is just to prove the fact that our Government in 1941 was conscious of the Polish Army situation.

Mr. MITCHELL. This is another part of the same exhibit, being dated November 14, 1941, addressed to Mr. Averell Harriman:

Your telegram of November 12 received. I have not yet had the possibility to acquaint myself with all the details of the Polish question in the U. S. S. R. In the course of 2 or 3 days, after studying this question, I will let you know the attitude of the Soviet Government. In any case you should have no doubts that the interests of the Poles, as well as the interests of the friendly relations between the U. S. S. R. and Poland will be taken into account by the Soviet Government. signed "Stalin."

Mr. SHEEHAN. Mr. Harriman, my thought here is this:

Starting in 1941, were you acquainted with the problem of the Polish Army and the formation of it, and then in 1943, when you became Ambassador, was there any more question now about the Polish Army, because at this point, when you were Ambassador, the massacre had been discovered?

Mr. HARRIMAN. As I recall it—and I may be wrong on it—a good many of the Polish soldiers had been brought to Iran and had been trained and equipped there, and they did not go back into Russia, they went into, I think, the first place, Italy, and fought very gallantly there.

The problem that I was involved in was attempting to get the Soviet Government to recognize again the Polish Government in Exile as the Government of Poland. They had broken off relationships, as you well know, in the spring of 1943. Mr. Hull, as I recall it, took it up while he was in Moscow, at the time of the Moscow Conference, in October 1943, and we exerted constant pressure on the Soviet Government to recognize again the Polish Government in London as the Government of Poland. All of those endeavors were unsuccessful.

Mr. SHEEHAN. Mr. Harriman, this is calling for an expression of opinion, insofar as it relates to the Polish situation.

When Mr. Byrnes was assistant to the President at Yalta, was he fairly well informed as to what happened there up to the point where he left the negotiations and conversations?

Mr. HARRIMAN. I do not recall which meetings he was in. I do know he was not in the discussions between Stalin and President Roosevelt on the Far East. To my own recollection, I do not know which meetings he attended.

Mr. SHEEHAN. The reason why I ask that is that Mr. Byrnes had made a statement which, to us in the committee, brings up a question. I will read the statement, with your permission, because he agreed with you with reference to your conversations, about the Lublin Govern-

ment, but he also brings out another phase about negotiations with Poland. I will quote directly. He says:

Not only Poland's boundaries, but Poland itself was one of the most serious issues of the entire conference. More time was spent on this subject than any other. Because of the intensity of the argument, Mr. Roosevelt would assume the role more of an arbiter than of an advocate, although he, as well as Prime Minister Churchill urged the establishment of a new Polish Government in Warsaw. The Soviet Union, on the other hand, wanted to continue the Lublin Government. Stalin was willing to add a few persons, but he wanted to make certain that those that were added did not affect the Soviet Union's control of the Government.

that last part substantially agrees with what you said in your negotiations with the three men.

Mr. HARRIMAN. I would think that he was right, that of all the political subjects, there was more time spent on Poland than any other. There were, of course, considerable military discussions.

Mr. SHEEHAN. Would you care to comment on Mr. Byrnes' remarks? He said Mr. Roosevelt spent more time as an arbiter rather than as an advocate.

Mr. HARRIMAN. I would be inclined to think my recollection is correct, as far as the boundary is concerned, but he was very anxious to get an early agreement on the establishment of a government which would insure the protection of the freedom of the Polish people and the holding of a free election at the earliest possible moment.

Mr. SHEEHAN. Thank you.

Mr. MACHROWICZ. Mr. Harriman, I think this has been partially covered but I would like to get your answer to it.

Were any representatives of the Polish Government consulted regarding the Yalta agreement, prior to the agreement?

Mr. HARRIMAN. Not that I know of. But there may have been talks. There have been a number of talks, in London, and Mr. Mikolajczyk had come to Moscow in August of 1944 and also in October of 1944.

Mr. MACHROWICZ. That was after the Yalta agreement; was it?

Mr. HARRIMAN. No; before the Yalta agreement. Mikolajczyk was the Prime Minister of the Polish Government in London after General Sikorski's death, and he remained as such during this period.

Mr. MACHROWICZ. Was he consulted?

Mr. HARRIMAN. He was not consulted, so far as I know, about the Yalta agreement, but there were discussions with Mr. Mikolajczyk on the subject of a settlement in order to get a provisional government established, which would insure the possibility of holding a free election.

Mr. MACHROWICZ. Can you explain why, at the time of the settlement of the question involving the independence of the nation and the future territorial integrity of that country, that no representative of that country was invited?

Mr. HARRIMAN. There were no other representatives of any governments at Tehran, except the three governments, the three principal allies. There had been discussions with Mikolajczyk over possible settlements, both in Moscow and in London.

Mr. MACHROWICZ. But no representative was invited to confer?

Mr. HARRIMAN. No representative was invited.

Mr. MACHROWICZ. Do you consider that the agreement which you and Mr. Kerr worked out in Moscow in June of 1945 was a satisfactory solution of the agreement in Yalta?

Mr. HARRIMAN. I never thought it was a satisfactory solution. It was the one hope that possibly an interim government might be established which would have enough non-Communist members, in order to insure that there would be a free election held.

Of course, this agreement was unsuccessful and it was the best that it appeared at that time that could be obtained and gave some hope that there would be a free election and that what we call the democratic elements—you know, the Soviets have used that word "democratic" in quite a different way than we use it—that the democratic forces in Poland would rise, and there could be a free election held.

Mr. MACHROWICZ. What guaranty did we obtain at Yalta that there would be a free and unfettered election in Poland?

Mr. HARRIMAN. The only guaranties were the pledged words of Stalin.

Mr. MACHROWICZ. Was that satisfactory to you?

Mr. HARRIMAN. I don't know what other pledges you could have had.

Mr. MACHROWICZ. Do you think an election controlled by the powers which made the Yalta agreement could have been held?

Mr. HARRIMAN. There was agreement. It was that the three governments would work together, and see that a free election would be held. We did not bow out of it. In the agreement it was recognized that the United States and British Governments had a joint responsibility with the Soviet Government in seeing that they were held. But the Soviet Government always refused to permit that to happen, and no free elections were held in Poland.

Mr. MACHROWICZ. And there was nothing that we could do about it, was there?

Mr. HARRIMAN. There was nothing we could do about it.

Mr. MACHROWICZ. Because of the agreement made at Yalta.

Mr. HARRIMAN. No, not because of the agreements made at Yalta, but because of the physical occupation of Poland by the Red army. That was a reality at Yalta and was still a reality in the summer of 1945.

Mr. MACHROWICZ. While you were at Moscow you wired various Polish leaders to come to Moscow to help work out the agreements; is that correct?

Mr. HARRIMAN. I do not recall those wires, I have not seen them.

Mr. MACHROWICZ. Do you remember the message to Witos?

Mr. HARRIMAN. Yes, sir. We had certain of them.

Mr. MACHROWICZ. You had urged him to come to Moscow.

Mr. HARRIMAN. Yes.

Mr. MACHROWICZ. He was the Peasant leader.

Mr. HARRIMAN. Yes.

Mr. MACHROWICZ. And he refused?

Mr. HARRIMAN. I would have to refresh my memory about that, because I have not seen the telegrams recently.

Mr. MACHROWICZ. I would like to have Mr. Harriman see these documents to see whether that refreshes his memory.

Mr. HARRIMAN. I have no doubt that is the message I sent him.

Mr. MACHROWICZ. You remember you urged Witos to come to Moscow to participate in these deliberations?

Mr. HARRIMAN. That was in June of 1945.

Mr. MACHROWICZ. That is right.

Mr. HARRIMAN. Yes; that is right.

Mr. MACHROWICZ. What do you know about the 16 Poles who came to Moscow as a result of invitations and urgings on the part of both the Russian Government and the United States Government, who have never been seen since?

Mr. HARRIMAN. I do not recall any representation by the United States Government to have them come to Moscow. As I recall it—and I do this from recollection of 7 years—the first I heard about this was when I was back here after President Roosevelt's death, and this information was received, that they had been brought to Moscow and were imprisoned under charges. Mr. Stettinius took it up with Mr. Molotov, as I recall it, and protested vigorously. And that subject, as I recall it, was one of discussion between Mr. Hopkins at the time he visited Moscow, in June of 1945. As I recall it, as a result of representations, a number of them were released, although not all of them were.

Mr. MITCHELL. Mr. Harriman, I believe those discussions took place at the United Nations Conference on May 7, 1945.

Mr. HARRIMAN. Yes; I believe so.

Mr. MITCHELL. And at that time Mr. Molotov admitted the imprisonment. As a result of the imprisonment of the 16 leaders, did you not go to the President and plead with him to send Harry Hopkins over there, as reported in the book, *Roosevelt and Hopkins*, by Sherwood?

Mr. HARRIMAN. That was one of the questions. The major question up with Molotov when he was over here, one of the major questions, was carrying out the Yalta agreement that there should be a broadly based democratic government. And Mr. Hopkins' primary mission to Moscow was to try to work out an agreement with Stalin to carry out the Yalta agreement. And, of course, we were all shocked by this imprisonment of these Polish leaders, and that was one of the things that was discussed, as I recall it, by Mr. Hopkins, in Moscow.

Mr. MACHROWICZ. Let me get this correct so that we will all understand.

The 16 Polish leaders were invited to Moscow—

Mr. HARRIMAN. Not by the United States Government.

Mr. MACHROWICZ. No; not by the United States Government, but with the knowledge of the United States Government.

Mr. HARRIMAN. No. I don't recall hearing anything about it until we learned about it when I was back here in this country.

Mr. MACHROWICZ. The declared purpose for the invitation of these 16 Polish leaders to Moscow was the discussion of the possibility of the formation of a so-called representative Polish Government; am I right?

Mr. HARRIMAN. I would have to refresh my memory as to on what basis the Soviet Government induced them to come out, under which they were seized and brought to Moscow.

Mr. MACHROWICZ. At that time you were Ambassador?

Mr. HARRIMAN. I was in the United States at that time. I came from Moscow to Washington, I think, 2 or 3 days after President Roosevelt's death.

Mr. MACHROWICZ. You know now that most of those, after having been invited to Moscow, presumably for discussions, were either assassinated or placed in prison and not heard from.

Mr. HARRIMAN. We knew they had been brought to Moscow. As I recall it, the first I knew of it was after I had returned to this country and, as I say, Mr. Stettinius took it up with Molotov at San Francisco. They were put in prison, and we were all very much shocked by it.

Mr. MACHROWICZ. I believe you testified previously that, in your opinion, Stalin and Soviet Russia have never kept the terms of the agreement entered into at Yalta; is that correct?

Mr. HARRIMAN. That is correct, as far as any of the political agreements were concerned. The military agreements, they kept, made during the war.

Mr. MACHROWICZ. Did you not think it would have been wiser for us to have taken some precautions to guarantee the fulfillment of these agreements by Soviet Russia?

Mr. HARRIMAN. I do not know what guaranties you could have had. The areas under political discussion were those areas which either had already been occupied by the Red army, or would in all probability be occupied by the Red army.

Mr. MACHROWICZ. Was the possibility of elections under the control of the three powers who agreed to the terms of Yalta discussed?

Mr. HARRIMAN. Yes. I think the agreement specified that we should work together to see that free elections were held.

Mr. MACHROWICZ. No—not to work together; to have the elections conducted under the control of the three powers. Would that not have given some assurance of free elections?

Mr. HARRIMAN. I would have to refresh my memory as to the language of the agreement. But, as I recall it, it was clearly understood the three powers would work together to see that free elections were held.

Mr. MACHROWICZ. Of course, "working together" is a rather loose statement, which has no meaning unless we specify in just what way we work together.

Mr. HARRIMAN. If we specified them, they would have still broken the agreement, because they broke the basic agreement.

I think we have to be realistic about it, that other than the use of force on the part of the United States and the western allies, there would have been no way to have gotten the Soviet Government to agree to carry out their agreements.

Mr. MACHROWICZ. What advantage did the United States get in the agreement at Yalta?

Mr. HARRIMAN. The protection of the Poles in terms of holding free elections. If there had been no negotiations at all, there would have been no chance of free elections and the occupation by the Red army would have been, without a doubt, perpetuated, and, of course, that is what finally happened. But President Roosevelt made every effort to get an agreement with Stalin, which he got, and the fact that Stalin broke those agreements, not only with relation to Poland, but other agreements, was the first notice to the civilized world of the duplicity

and the aggressive intentions of the Soviet Union. I think we are better off to have made the agreements, than if we had not made the attempt. I think if President Roosevelt had not made the attempt, he would have been subjected to great criticism.

Mr. MACHROWICZ. That protection was more or less based on the bare word of Stalin; is that right?

Mr. HARRIMAN. There is no other physical protection which we could have had, unless we had maintained our forces in Europe and induced our allies to remain mobilized.

Mr. MACHROWICZ. That is all.

Mr. HARRIMAN. It is a curious thing—they did hold a free election in Hungary. That was either in September or the first of October in 1945. You probably recall that the Communists got a small percentage of the vote and a non-Communist government was established, the leading party being what was known as the Freeholders Party, which was a small Peasants' Party.

Mr. SHEEHAN. May I say, Mr. Secretary, at that point, that there are some of us on the committee that would not agree with the reasoning that it was in 1945 that you first knew about the duplicity of the Russian Government.

Mr. HARRIMAN. No, I said the free world.

Mr. SHEEHAN. Because in our State Department, ever since 1943, you will recall the evidence of Katyn, reports from various Ambassadors, and then since 1933, when we first recognized Russia, there were many violations of our agreements with her.

Mr. HARRIMAN. I have been on record, as is generally known, that it was my judgment we would have grave difficulties with the Soviet Union; that it was a new force in the world which might be as difficult to deal with as the Nazi force. That is recorded in Mr. Forrestal's diary, and many people know that is the view I expressed when I came back from Russia in the spring of 1945.

Mr. SHEEHAN. Do you think the Polish Government, as it exists today, as it does apparently, as I gather from you—which is in violation of the Yalta agreement—is a good thing?

Mr. HARRIMAN. The present Government of Poland?

Mr. SHEEHAN. They broke their agreement at Yalta in setting up a government, because there was no free election. Is that right or wrong?

Mr. HARRIMAN. This present Government is not representative of the people. It is a puppet government of the Soviet Union.

Mr. SHEEHAN. And it is not representative of the agreement entered into at Yalta for the forming of such a government?

Mr. HARRIMAN. That is correct; it is not.

Mr. SHEEHAN. Then would you care to pass an opinion, in light of the fact that it is an illegal government, as to our Government's recognizing the Polish Government today?

Mr. HARRIMAN. That is a question as to whether we are better off to break all relations with the iron-curtain countries, or not. My own judgment is that it is better to maintain relationship and to strengthen the free world and to expect the day to come when Poland again can be free. I do not think that it will contribute to the welfare of the Polish people for us to break relations with the Polish Government, even though it is a government which was established in violation of the Yalta agreement.



Mr. SHEEHAN. I was going to say that at the time we were sort of giving sanction to a moral wrong.

Mr. HARRIMAN. That is true of the other governments in Eastern Europe.

Mr. SHEEHAN. After all, as Members of Congress, we are naturally interested in our foreign policy and what we are going to do in the future, and we ask questions of experienced people like yourself, who might help or guide us. As I understand it, you were one of the few men, fortunately or unfortunately, who were at the three main conferences, Yalta, Tehran, and Potsdam. In the light of your experience in all of the negotiations with Russia and the agreements she has not kept, especially the political agreements, in your judgment should we keep on making agreements with somebody who does not want to perform?

Mr. HARRIMAN. I do not think any agreements with the Soviet Union are of any value, unless they are based on a position of strength, so that they can be forced to carry them out.

Mr. SHEEHAN. Therefore, any agreements we make should be where we have the strength to enforce them?

Mr. HARRIMAN. I think we want to get to the day as rapidly as we can when the free world is so strong that we can compel the Soviet Union to live up to its obligations.

Mr. SHEEHAN. In the conference that the Katyn committee had with President Truman, with reference to getting his cooperation, President Truman stated to our committee when we were talking about Russian agreements—and I think he specifically named the date—he said that on January 6, 1946, was the date he realized that there would be no more use or no more hope of making agreements with Russia. Would you care to comment on that in any particular way?

Mr. HARRIMAN. No; I cannot comment on that. I think you will have to ask him exactly what he meant by that. But I do know that when I saw him in April of 1945, he had a clear understanding of the difficulties we were going to have with the Soviet Union, and he pressed Mr. Molotov very hard, in the first talk we had with Mr. Molotov when he came here in 1945, April of 1945, to fulfill the obligations of the Soviet Union toward Poland.

At the same time, we have got to continue at various places where we have contact in the United Nations and elsewhere, to attempt to get the Soviet Union to agree to proper behavior and to deal with the problems which are currently up, including, of course, the Korean situation.

Mr. MACHROWICZ. Mr. Harriman, did you invite Mikolajczyk to come to Moscow to the conference?

Mr. HARRIMAN. In June 1945.

Mr. MACHROWICZ. Do you remember that under the Yalta agreement this was to be called a provisional government?

Mr. HARRIMAN. That is right.

Mr. MACHROWICZ. But at the time of your conference with Mr. Kerr and yourself, the Russians insisted that the word "provisional" be left out; am I right?

Mr. HARRIMAN. I think that is true. I would have to refresh my memory.

Mr. MACHROWICZ. And the British objected to it; did they not?

Mr. HARRIMAN. I don't recall that.

**Mr. MACHROWICZ.** For your information, in one of your messages in the Department of State you reported that the British objected to it, but you finally agreed after Beirut and the Poles said they would be satisfied to have the word "Provisional" left out, and they very much resented the British objection to that. Does that refresh your recollection?

**Mr. HARRIMAN.** That is 7 years ago. I would have to review it.

**Mr. MACHROWICZ.** Did you get the impression that the Poles were satisfied with the arrangements made by you and Mr. Clark Kerr with regard to the formation—

**Mr. HARRIMAN.** I looked upon it as a last attempt to develop the situation within Poland which would lead to the freedom of Poland. None of us was very optimistic about its outcome, but it was the final attempt to obtain freedom for the Poles. That undoubtedly it is.

**Mr. MACHROWICZ.** Do you feel the United States has really shown a continued interest in insuring a free election?

**Mr. HARRIMAN.** Well, they have done everything they could. As I understand it, the State Department has consistently done everything it could to insist on the holding of the elections; and, short of military action, there is nothing further that I know of that we could have done.

**Mr. MACHROWICZ.** Unfortunately, because of the agreement at Yalta, we had no guaranties, and all we could do was plead with Stalin; is that not right?

**Mr. HARRIMAN.** It was not a question of the agreements at Yalta; it was the situation of the occupation of Poland by the Red Army, which gave them the power to do it, and nothing could dislodge them other than the use of force.

**Mr. MACHROWICZ.** After Yalta, there was nothing we could do but count on Stalin's word; is that correct?

**Mr. HARRIMAN.** There was nothing we could do but hope that Stalin would keep his word, and the opinion of the free world, which he has, of course, completely—

**Mr. MACHROWICZ.** Knowing Soviet Russia as we do today, on the basis of facts which occurred subsequent to the Yalta agreement, do you feel that, had you known all those facts, you still would have recommended the agreement at Yalta?

**Mr. HARRIMAN.** I think this: that, whether there had been an agreement at Yalta or whether there had not been, events in Poland would have gone forward just as they did, except that the Polish people would have suffered more. There would have been no basis for bringing UNNRA goods in and helping the individual Poles in the distress which they have had.

I see no loss by the Yalta agreement, or any of the agreements that were made. It proved beyond contradiction to all of the nations of the free world, including the people of the United States, the duplicity and aggressive intents of the Soviet Union, and the fact they broke these agreements has been one of the reasons why the free world has become more and more united.

**Mr. MACHROWICZ.** Did you not believe that a firmer position by the United States at that time, rather than a position of appeasement, as undoubtedly took place at Yalta, would have increased the respect for the United States today in free Europe?

**Mr. HARRIMAN.** I do not accept the word "appeasement"; I accept the earnest attempt on the part of President Roosevelt to obtain an

agreement by Stalin to hold free elections, and he succeeded in obtaining it. Anything else short of force would have had no other avail. We had no troops in that area. Any further language would have been broken, just as the language which was written was broken.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. Ambassador, you said that we agreed to all these things with Russia because we wanted certain military commitments from Russia. You admit that they violated the political commitments, and you say they kept the military commitments.

Mr. HARRIMAN. That is right.

Mr. O'KONSKI. What military commitments or agreements did Russia keep with us?

Mr. HARRIMAN. The principal one was the one that I told you.

Mr. O'KONSKI. At the time of the Normandy invasion?

Mr. HARRIMAN. Which was the attack on the eastern front 2 weeks after we landed in Normandy.

Mr. O'KONSKI. As I understand, the Normandy invasion was June 6, 1944. The Yalta Conference was in February 1945, when Hitler was already kaput. He was finished when you were in Yalta.

Mr. HARRIMAN. Yes.

But someone made a statement that Stalin had kept none of his agreements. I was explaining he had kept military agreements, and there were other agreements that we made which he kept.

Mr. O'KONSKI. Like what?

Mr. HARRIMAN. Such as the establishment of bases at Poltava and otherwise. And a number of other military agreements that were made he kept.

Mr. O'KONSKI. Do you include in that his entering the Japanese War?

Mr. HARRIMAN. His entry in the Japanese War was one that took place when it was quite obvious that Japan was about to surrender.

Mr. O'KONSKI. He had 750,000 Japanese prisoners at stake and Manchuria, but he certainly did not enter into that war to keep an agreement with us; did he?

Mr. HARRIMAN. No. As I have said a number of times, I was always convinced that the Soviet Union would enter the war against Japan in their own due time. But the objective of our Government, on the strong recommendation of the Chiefs of Staff, was to get agreement from the Soviet Union to come into the war when it would help us and avoid the necessity of what was thought to be probable, of landing forces on the plains of Tokyo, which would have been a very costly operation in terms of American lives. And there was a constant desire on the part of our Chiefs of Staff to bring the Russians into the war against Japan shortly after the defeat of Germany.

Mr. O'KONSKI. In September 1944, when 250,000 Poles of the Polish underground were slaughtered in Warsaw and Joe Stalin had his army perched for 90 days waiting while they were slaughtered, and would not move an inch forward, he kept his military agreement with us pretty well then, too; did he not?

Mr. HARRIMAN. That Warsaw uprising was one of the very great tragedies.

Mr. O'KONSKI. That was at the height of the Normandy invasion. That is when we needed him most. And he sat on his hands. So, he certainly did not keep his military agreement.

Mr. HARRIMAN. He did not move until early in 1945. Whether, militarily, he could have crossed the Vistula or not, I do not know.

Mr. O'KONSKI. Do you still think, Ambassador, that Russia would ever make any military maneuver that would benefit the United States of America, or that she would make a military maneuver only if it benefited Joe Stalin?

Mr. HARRIMAN. Of all the men I have ever known, Mr. Stalin is the most hard-boiled individual and always considers everything from his own standpoint.

Mr. O'KONSKI. I have just a few more questions here.

The thing that I am driving at here is: As I view this whole set-up, Ambassador, there is no question in my mind that you boys were ready to give Stalin anything he asked for. The thing that I am most glad about is that Stalin did not know that. If he had known how ready you boys were to give up and give in, he could have asked not only for free elections in Poland but he could have forced us to sign an agreement that we would have free elections in the United States of America, the way he wanted it. That is how anxious we were to go along with him.

Mr. HARRIMAN. Wait a minute, I must have exception to that. President Roosevelt was trying to get Stalin's agreement about the treatment of the countries which would be occupied or were occupied by the Red army, where we would be unable to exercise any influence or force. And there were no concessions made at Yalta. The concessions—if you want to call them such—were basically made by Stalin. The great tragedy of Yalta was that Stalin did not keep his agreements. Eastern Europe would be free today if he had kept those agreements.

In other words, what I am trying to tell you is that the situation was one where Stalin dominated eastern Europe. That was not the situation which we created. That was the situation which was created by the war.

Mr. O'KONSKI. Here was a Polish general, Sikorski. He was looking for somewhere in the neighborhood of 15,000 Polish officers. All of a sudden they find the graves of these officers, and it is announced to the world, unfortunately, by the Gelfmans.

Is it not only humane and natural on General Sikorski's part that he, as a general of a great country, first had the courage to resist Nazi aggression by force and, being least prepared, that it should only be natural for him to say "why don't we get an international body like the Red Cross to come over here and investigate what happened to our officers?"

But then that gives the Russians the reason for severing diplomatic relations with them. And then our President writes a letter of apology to Joe Stalin that he acted rather without reason; that "It is too bad that he acted in that way, but won't you please, Mr. Stalin, at least talk to Sikorski once in a while?"

Can you imagine anything so ridiculous as that inquiry and going to the point where our President actually apologizes because he asks

for that investigation? Would you not say that was downright appeasement?

Mr. HARRIMAN. I will tell you what General Sikorski himself told me: That he was ill at the time; that if he had not been ill he would not have made that particular proposal. He certainly would have followed up with the Russians the question of investigation of this case. But all I can tell you is that was his view.

Mr. O'KONSKI. As to these reports that you sent in, Ambassador, you daughter Kathleen's and Melby's, were those sent in at your own initiative?

Mr. HARRIMAN. My own initiative.

Chairman MADDEN. Might I interrupt here a moment?

Mr. Harriman, I will hand you what we will mark for identification "Exhibit 24," which is a telegram from Moscow, dated January 25, 1944, to the Secretary of State in Washington, signed "Harriman," and I will ask you if you can identify the same?

Mr. HARRIMAN. Yes.

Chairman MADDEN. That will be received for the record.

(The document referred to was marked "Exhibit 24" for identification and is as follows:)

**EXHIBIT 24—TELEGRAM FROM UNITED STATES EMBASSY, MOSCOW, JANUARY 25, 1944**

[Telegram]

Moscow, January 25, 1944.

SECRETARY OF STATE,  
Washington.

(For President and Secretary—strictly confidential.)

Member of Embassy staff and my daughter have returned from trip Smolensk with British and American correspondents. While there they were shown evidence being collected by special commission to investigate German shooting of captured Polish officers in Katyn Forest close to Smolensk.

None of party was able to judge scientific evidence of autopsies which were performed in their presence. Moreover, they were not permitted to make independent investigations except for formal questioning of few witnesses made available. Correspondents filed reports telling what they saw without expressing opinions, but for some reason censor has held up these stories. The general evidence and testimony are inconclusive, but Kathleen and Embassy staff member believe probability massacre perpetrated by Germans.

Appears Soviets conducting very detailed examination each body by autopsy and by examination clothing, remaining personal effects, and papers. Evidence which made greatest impression to strengthen Russian case was:

(One) Most soldiers exhumed to date were enlisted men rather than officers, as Germans claimed.

(Two) Methodical method of execution, each having been killed by one shot at base of skull.

(Three) Dates of papers exhibited from November 1940 to June 1941.

(Four) Testimony by witnesses re unsuccessful attempt to evacuate Poles at time of German breakthrough to Smolensk and re Poles engaged road work in area for Russians and Germans in 1941.

HARRIMAN.

Mr. O'KONSKI. These reports, Ambassador, were sent on your own initiative; were they?

Mr. HARRIMAN. Yes. I asked my daughter and assigned Mr. Melby to go there.

Mr. O'KONSKI. The reason why I ask that is that it leads up to the second question I have.

All during this time that you were the Ambassador, there were some 15,000 Polish officers murdered, and our Government here in Washington did not show enough interest to request you to find the essential

facts concerning the case; is that correct? Not once were you communicated with for information. They did not care what happened to those officers; did they?

Mr. HARRIMAN. I cannot say they did not care, but it is a fact they did not ask me to do it. I assume they did not think I had any means of finding out how it occurred.

Mr. O'KONSKI. If the answer is not that they did not care, the other answer is that they were so afraid they might learn the truth about who murdered them that again they might get afraid of that great big thing; that Joe Stalin might get mad at us and make a separate peace with Hitler.

Mr. HARRIMAN. I don't think that would be the case at all. I never saw any evidence of that. There was a constant effort on the part of the United States Government to protect the interests of the Poles insofar as it was possible to do so.

Mr. O'KONSKI. In that report, as you said, you were more or less inclined to believe that the Germans were guilty of the crime; were you not?

Mr. HARRIMAN. You see, I did not express any personal opinion. I sent the reports on as they were given to me, and I expressed no personal view. I sent it on for such value that it would have.

Mr. O'KONSKI. I want to say I respect your honesty in regard to that, because being over there and being on one side of the controversy, seeing the one side, you might be mistaken. That, in my judgment, does not condemn you in any way.

Mr. HARRIMAN. Or my daughter or Mr. Melby. They went and saw it, and many of the other correspondents. It was the only evidence that they had, and it was such a plausible idea that the Germans had started this thing in order to create difficulty among the Allies that I think it was a natural thing to draw the conclusions they did.

If you notice, I did not express any opinion. I simply sent it on for what it was worth.

Mr. O'KONSKI. Let me ask you this further question: Your being in there and getting their side of it and, naturally, seeing only their demonstration and their propaganda, I can see how that kind of report would be made.

Do you think differently now, from what you did then?

Mr. HARRIMAN. I read over the preliminary report of your committee, and it certainly appears as if the preponderant evidence shows that the Russians did it.

Mr. O'KONSKI. In your negotiations all the way down the line, and particularly at Yalta, was there any information of any kind given to you by briefing officers of our State Department, or G-2, or Military Intelligence? Was there any information given to you, for example, to the effect that, well, to mention a few names, in Moscow the Russians had Giorgi Dimitrov ready to go over into Bulgaria, they had Klement Gottwald in Moscow all ready to go and take over Czechoslovakia, they had Thorez ready to take over France, which he did not; they had Togliatti and Luigi Longo all ready to take over Italy, and they had Joseph Broz, commonly known as Tito, waiting in Moscow, all ready to go over and take over Yugoslavia; they had Anna Pauker all ready to take over Rumania?

At the time of Yalta, these people were already in school and developed. They had the traitor Bronislaw Beirut, who turned out to be the man they set up to take over Poland.

Was not there any intelligence service of any kind that relayed that information to you people when the Yalta Conference took place?

Mr. HARRIMAN. We had no information of the kind you speak of. There was no way to get it in Moscow.

Mr. O'KONSKI. It was available, because I read it in December 1944 in a book written by Earl Browder, in a little pamphlet entitled "Life Begins at Tehran." It was all there.

Mr. HARRIMAN. I did not see it.

I was frankly concerned, and it was recorded in Forrestal's book that I was concerned over the aggressive intentions of the Soviet Union, and that I felt we should do everything we could to help strengthen Western Europe, or else we would find Western Europe in the hands of the Communists. That is recorded in Mr. Forrestal's book, and it is, as I recall, what I said to many people at that time.

But, as to the details of who was being trained for what, I do not recall having that detailed information. But I was gravely concerned at that time that they would attempt, through subversion, to take over the countries of Western Europe, and that, with the bad economic conditions, it was important for us to assist the western European countries as much as possible to reestablish their economic life.

Mr. O'KONSKI. To show you what difficulties you encountered to get that kind of briefing and that type of information which I feel you should have had, would you be interested in knowing that in G-2 that type of information was being developed, and just as soon as it was developed along those lines that the Communists had designs and plans along all those countries the men who wrote that report were called in by the head of G-2 and they were told that they were too anti-Soviet and they had better start writing different articles if they wanted to keep their jobs?

Mr. HARRIMAN. I had no knowledge of that whatsoever because my statements to my Government and also some background information which I gave to the press were in the opposite direction: that we must be on our guard and help the western countries against Communist subversion in those countries.

That was based on my general knowledge of the situation, and I do not recall knowing of the individuals in different places, although we did have knowledge, of course, of some of the Communists in France and in Italy who already were working.

Mr. O'KONSKI. I agree with you on this point to a degree, Ambassador. Strength alone does not mean anything. When were we stronger than in 1945, when you men were at Yalta? We had the greatest Army in the world; we had the greatest Air Force in the world; we had the greatest Navy in the world. We were sitting on top of the world. We had more than the rest of the world put together, ready to go, while you men were at Yalta. Yet Stalin almost got the shirts and pants off our men at Yalta. It shows that strength does not mean much at all. There must be truth, courage, and honor.

Mr. HARRIMAN. We must remember that Yalta was just after the conclusion of the Battle of the Bulge. General MacArthur entered Manila, I think, in one of the early days of the conference. The bloody battles of Iwo Jima and Okinawa were still to come, and no



one knew how long it would take to win the war against Japan. Estimates were made as high as 18 months after the defeat of Germany. We were still right in the midst of the battle to win the war in Europe, and there was ahead very difficult fighting, in the view of our military, as far as Japan was concerned.

Those are the realities of the atmosphere of Yalta. It is hard to recapture those thoughts because so quickly did Germany collapse and so quickly did Japan collapse thereafter. But those were the views of the military advisers which President Roosevelt had at that time; and, therefore, the military cooperation of the Soviet Union was one of prime importance to conclude the war in both sides of the world with the minimum loss of American life.

Mr. O'KONSKI. Do you go along with the impression that I have: that this Katyn massacre is in the position that it is today because of our policy of not trying to create ill will toward Soviet Russia, and that is why it was hidden from the people of the world and the people of America?

Mr. HARRIMAN. Of course, I was in Moscow during that time. All the information about it was in the press. I have no knowledge of where our Government hid it.

Mr. O'KONSKI. That is all.

Chairman MADDEN. Mr. Machrowicz?

Mr. MACHROWICZ. Mr. Harriman, at the time you sent that message to Washington relating the findings of Miss Harriman and Mr. Melby, did you make any inquiry as to the findings of the 9 or 10 American correspondents who went with Mr. Melby and Miss Harriman?

Mr. HARRIMAN. I suppose I talked to them. That is 9 years ago. I do not remember the detailed talks, but I rather recall that most of them had about the same attitude as the reports of my daughter and Mr. Melby.

Mr. MACHROWICZ. For your information, I might state that Mr. Cassidy testified before this committee and said that, outside of Mr. Melby and Miss Harriman, they all had the conviction that the Russians were guilty. That is a part of the condition. I was wondering how that portion of findings was not included in your report to Washington.

Mr. HARRIMAN. I do not recall. It is up to the committee to ask each one of them. But I know they all felt the same way: that there was no conclusive evidence.

Mr. MACHROWICZ. Mr. Cassidy testified it was quite obviously a staged proposition and they all had the impression that the Russians were the guilty party. And it rather occurs to me that it is rather unusual that that was not included in your report.

Mr. HARRIMAN. I do not recall the conversations, and I do not want to quote anybody because I do not recall talking to them. But I have a general recollection that all of them felt that it was staged, including my daughter and Mr. Melby, but that—a number of them, I think, if I remember correctly—on balance it was probably a German atrocity.

Mr. MACHROWICZ. Why was not that contained in your report to Washington?

Mr. HARRIMAN. I do not recall why it was not. I do not know that. Because correspondents were interested in filing a story of what they had seen; which they did. That was their objective. I did not know that I had any right to ask them what their opinions were.

Mr. MACHROWICZ. I would like to complete the record regarding the matter I brought up previously.

I asked you whether or not you had any recollection of the fact that the British objected to omitting the word "provisional" from the title of the Government set-up in June 1945 in Poland, as provided in the Yalta agreement. I said that at that time you consented to having the word "provisional" stricken out and that the Poles—I am speaking of the Moscow Poles now, of course—concurred with you.

I now have your message of June 23, 1945, in which you yourself state that Clark Kerr received his instructions from the British Government to object to the word "provisional."

Subsequently you consented to having the word "provisional" stricken from the record. I would like to show you this message of June 23, and ask if that will refresh your memory as to that portion of the discussions.

I might state that we have just received this instrument today. It has not been paraphrased yet; so I do not want to put it into the record at this time.

(NOTE.—The documents referred to have been paraphrased and appear in the appendix of this record.)

Mr. HARRIMAN. I want to point out that they were supported by Mikolajczyk and other Poles to provide for the elimination of the word "provisional."

Mr. MACHROWICZ. I concur with you that Mr. Beirut and Mr. Mikolajczyk agreed to that.

Of course, Beirut was Stalin's representative; was he not?

Mr. HARRIMAN. Yes. Certainly.

Paraphrasing it, it says:

This subject came up in discussion between Mr. Vishinsky and myself that afternoon, and Vishinsky agreed that the word should be retained. In spite of that agreement, Molotov supported Beirut. Clark Kerr supported my position. I was arguing.

Then I said "It would be impossible for me to get any answer for at least 48 hours. I asked Beirut to accept the title as laid down by the decisions in Crimea."

Mr. MACHROWICZ. Of course he said "No."?

Mr. HARRIMAN. No; he agreed. But he had a further proposal, that the new government, after it had been organized, should take the matter up with the three governments for elimination of this word "proposal." To this Molotov agreed.

Then I also explained that the decisions in Crimea would not have been carried out until free elections had been held to establish a permanent government.

Mr. MACHROWICZ. That is right. But the word "Provisional" was to be left out of the title of the government; was it not?

Mr. HARRIMAN. I indicated that I was not holding out any hope that my Government would favor the elimination of the word.

It is a very long telegram. I showed that I was strongly against any changes from the Yalta agreement, which was insisting on pledges from the new Polish Government in regard to holding free elections and the other details in regard to setting up the government, and that our Ambassador should go to Moscow or Warsaw just as quickly as possible to see things carried out.

Mr. MACHROWICZ. The word "Provisional" was to be stricken out of the title of the government; am I right?

Mr. HARRIMAN. No. I objected to it. You can see that there.

Mr. MACHROWICZ. You objected to it originally, but you finally did agree to it; did you not?

Mr. HARRIMAN. I don't think I did. I read that rather quickly. I said I could not give an answer to it under 48 hours, or something like that.

Mr. MACHROWICZ. We will have that put in the record subsequently.

Mr. HARRIMAN. When you get that paraphrased, you can put it in the record.

It sounded to me when I read it as if I was firmer than the British Ambassador.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Mr. Sheehan.

Mr. SHEEHAN. Mr. Harriman, I have a couple of questions I would like to put to you.

Mr. HARRIMAN. Yes, sir.

Mr. SHEEHAN. With reference to the Yalta agreement, will you agree that we had a moral responsibility to see that there were free elections in Poland?

Mr. HARRIMAN. I certainly do.

Mr. SHEEHAN. Did we attempt to send any observers, or anybody, to make sure they had free elections?

Mr. HARRIMAN. We sent our Ambassador there as he had already been appointed, as I recall it, and he was awaiting arrival there. It took him some time to get there. I was rather disturbed over the delay of his getting there.

Mr. SHEEHAN. Did he get there before or after the elections?

Mr. HARRIMAN. He got there long before the elections. I think he got there early in August. I was anxious for him to arrive early in July.

Mr. SHEEHAN. The second thought I would like to present to you is this: We, in the committee here, after having seen the disappearance of all these different types of documents, after having seen the hiding of documents, have been informed by members of G-2, the Army intelligence, that there was a pro-Russian core in the Army intelligence in which they contributed to the disappearance of a lot of documents.

Do you think, in the light of all these various things, that there existed in our Government either Communist forces or Communist sympathizers who had something to do to overemphasize this fear of Russia that was being built up in our country?

Mr. HARRIMAN. I do not think there were any Communist sympathizers. I have no knowledge of what went on in G-2.

I had, of course, constant relationships during the war with General Marshall and Admiral King when I came home, and also, of course, in the early days when I was in London in the various conferences; but I saw no evidence of any Communist infiltration into the Army, or any place in our Government.

Mr. SHEEHAN. During the war you saw no such evidence?

Mr. HARRIMAN. I saw none; no.

Mr. SHEEHAN. You admit there has been some?

Mr. HARRIMAN. The Alger Hiss case stands on its own evidence and conviction.

Mr. SHEEHAN. Did President Roosevelt at any time give any specific instructions to you while you were in Moscow, before you went there, or at any time at all, about playing down the Russian aims?

Mr. HARRIMAN. None whatsoever. My basic mission there was to help keep Russia an effective ally fighting for us in the defeat of Germany and early entry to help in the defeat of Japan.

But President Roosevelt wanted to begin very early in trying to develop with the Russians a basis on which peace might be maintained. And, of course, it was for those reasons, with which you are familiar, the various undertakings, that various people induced the Russians to sign commitments which they later violated.

Although I was involved in the mission that had to do with helping to supply the Russians as early as September 1941, I went to Russia as President Roosevelt's representative when Mr. Churchill talked with Stalin on the strategic side of the war.

My first discussions about the future relations with the Soviet Union were at the Moscow Conference, where, if you will recall, there was a Moscow Declaration which reaffirmed the agreement on the part of the Soviet Union to cooperate in all of the high principles which later became adopted in the Charter of the United Nations.

But consistently through the war, by diplomacy, we were able to get commitments from Stalin on their behavior after the war, and those in the political field they have consistently refused to honor.

Mr. SHEEHAN. Who set our basic foreign policy during the war? Was that Mr. Roosevelt?

Mr. HARRIMAN. Mr. Roosevelt did, in consultation with Mr. Hull. And, of course, as far as the military operations were concerned, he was in constant contact with the military advisers, Mr. Stimson, Mr. Knox, and, of course, Joint Chiefs of Staff; Admiral Leahy, who was his own personal chief of staff.

Mr. SHEEHAN. Who was the final authority?

Mr. HARRIMAN. Mr. Roosevelt.

Mr. Hopkins was in the White House as Assistant to the President and was involved.

Mr. SHEEHAN. How do you mean "involved"? Was he setting policies, too?

Mr. HARRIMAN. No, sir. He was an adviser to the President in seeing that the President's policies were carried out. He was Chairman of the Munitions Assignments Board. He was very active in the supply question.

Mr. MITCHELL. I would like to ask you one question there.

Mr. HARRIMAN. May I say Mr. Hopkins played a very effective role in getting action for prosecution of the war.

Mr. MITCHELL. As you know, Mr. Harriman, one of the obligations of this committee is to search for the missing Van Vliet report. That report was made to Maj. Gen. Clayton Bissell on May 22, 1945, delivered to him personally, personally labeled by him "Top secret." At the same time, you had gone to the President and asked him to send Harry Hopkins to Moscow specifically in connection with the 16 leaders who were then in prison, which was admitted by Molotov.

Now, what would the reaction have been at the United Nations and throughout the world if the Van Vliet report, given by an American Army officer, who was neutral and impartial, who had visited the graves in 1943 and who stated in that report that the Soviets had committed this atrocity; what would the result have been at that time, as far as the 16 leaders are concerned and as far as the United Nations is concerned? That is asked for an opinion answer, sir.

Mr. HARRIMAN. That is a rather difficult question to answer as to just what effect it would have. The actions of the Soviets in so many directions are cruel and ruthless, and this would have shocked everyone, no doubt. I cannot put myself back exactly to what the reaction would have been. There were a series of misdeeds by the Russians, from our standpoint, beginning with the Ribbentrop treaty, that it would have contributed, I think, to further distrust of the Soviets.

My own views are well known. I was full of distrust of the Soviets at that time.

Mr. PUCINSKI. I have one short question.

In your telegram of January 25 of 1944, which is already in the record as exhibit 24, you stated that correspondents filed reports telling what they saw, without expressing opinions, but that, for some reason, the censor held up the stories. Now, subsequent to this telegram, did you ever find out why these stories were held up by the censor?

Mr. HARRIMAN. I do not recall. They were let out, as I recall it, in a couple of days. They were often held up. I do not recall why they held it up.

Mr. PUCINSKI. I can tell you Mr. Cassidy testified before this committee and said these stories were held up because on the way back from Katyn these American correspondents pointed out this situation to the Soviets. The Soviets had claimed that these men, these officers, had been murdered in September 1941. These correspondents asked the Soviet officers on the train if these men were murdered in September of 1941, why had most of them been buried with overcoats on when the temperatures in that area, at that time, range somewhere between 65 and 75 degrees. The Soviets were stunned with that question. They did not know just exactly what to answer and it took them several days to figure out an answer. Their answer was that they moved up the execution period from September to December 1, 1941.

Had you ever heard that in Moscow?

Mr. HARRIMAN. I may have known it. I do not recall it. That was 9 years ago.

Mr. PUCINSKI. I have no further questions.

Chairman MADDEN. Are there any further questions?

Mr. Harriman, we are very thankful to you for your testimony here today.

Mr. HARRIMAN. I appreciate the opportunity of appearing before you and the courtesy of you and all the other gentlemen of the committee.

Chairman MADDEN. Thank you.

Mrs. Mortimer, will you come up, please?

**TESTIMONY OF KATHLEEN HARRIMAN MORTIMER,  
NEW YORK, N. Y.**

Chairman MADDEN. Will you raise your right hand and be sworn, please?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. MORTIMER. I do.

Chairman MADDEN. Please state your full name.

Mrs. MORTIMER. Kathleen Harriman Mortimer.

Chairman MADDEN. And your address?

Mrs. MORTIMER. 149 East Seventy-third Street, New York City.

Chairman MADDEN. You may proceed, Mr. Counsel.

Mr. MITCHELL. Mrs. Mortimer, I believe you have a copy of your report there on this subject; have you not?

Mrs. MORTIMER. I do.

Mr. MITCHELL. Mr. Chairman, I would now like to put in the record exhibit 25.

Chairman MADDEN. I now present to you a document entitled "Enclosure No. 2 to Dispatch No. 207," dated February 23, 1944, from American Embassy, Moscow.

We will mark this "Exhibit 25."

Mr. MITCHELL. I would like the record to show also that the enclosure No. 1 attached thereto is Mr. John Melby's report.

(The document referred to was marked "Exhibit 25" for identification and is as follows. Enclosure No. 2 is Mrs. Mortimer's report and enclosure No. 1 is Mr. Melby's report:)

**EXHIBIT 25—AMBASSADOR HARRIMAN'S COVERING LETTER FORWARDING REPORTS ON  
THEIR VISITS TO KATYN BY MR. HARRIMAN'S DAUGHTER AND AN EMBASSY  
ATTACHÉ IN JANUARY 1944**

(The two reports also constitute part of this exhibit)

EMBASSY OF THE UNITED STATES OF AMERICA,  
*Moscow, February 23, 1944.*

No. 207

Subject: Investigation by Soviet Authorities of the Massacre of Polish Soldiers in the Katyn Forest, near Smolensk.

*Secret*

The Honorable the SECRETARY OF STATE,  
*Washington, D. C.*

SIR: I have the honor to refer to my secret telegram No. 247 of January 25, 7 p. m., concerning the activities of the Special Commission to Establish and Investigate the Circumstances of the Shooting by the German Fascist Invaders of Captive Polish Officers in the Katyn Woods. On January 21-23, 1944, the foreign correspondents in Moscow made a trip to Smolensk to witness the proceedings of the Commission: The correspondents were accompanied by my daughter, Kathleen, and Mr. John F. Melby, Third Secretary of the Embassy. I am enclosing copies of their memoranda containing their observations on this trip. I am also enclosing a copy of the January 29, 1944, Moscow News which contains an abridged version of the formal report of the Commission.

Respectfully yours,

WILLIAM AVERELL HARRIMAN.

File No. 711.6.

Enclosures: 1-2-3- / as stated.

REPORT WRITTEN BY MRS. KATHLEEN HARRIMAN MORTIMER AFTER VISITING KATYN  
IN JANUARY 1944

[Enclosure No. 2 to Despatch No. 207 dated February 23, 1944, from American Embassy,  
Moscow]

On January 23, 1944 members of the foreign press were taken to Smolensk to get first hand the evidence compiled by the Commission on the Katyn incident.

The party was shown the graves in the Katyn Forest and witnessed post mortems of the corpses. As no member was in a position to evaluate the scientific evidence given, it had to be accepted at its face value.

The testimonial evidence provided by the Commission and witnesses was minute in detail and by American standards petty. We were expected to accept the statements of the high ranking Soviet officials as true, because they said it was true.

Despite this it is my opinion that the Poles were murdered by the Germans. The most convincing evidence to uphold this was the methodical manner in which the job was done, something the Commission thought not sufficiently important to stress. They were more interested in the medical evidence as conclusive proof and the minute circumstantial evidence surrounding the crime.

Following is a description of what we saw and most particularly the manner in which the story was presented.

### *1. Inspection of Katyn Forest graves*

The Katyn Forest turned out to be small unspectacular little wood, sparsely filled with young trees, the bigger ones having been apparently chopped down by the Germans. The soil was orange and very sandy.

To date the Commission has found seven graves in all—six in the general area called Goat Hill, about the size of an acre, and one more several hundred yards away. They are still looking for more graves and expect to find from twelve to fifteen thousand bodies in all.

The senior member of the Medical Committee, Burdenko, took us around each and every grave—asked that we scrutinize each detail. He willingly answered every question put to him of medical bearing and was most helpful.

On the basis of a meticulous post mortem of seven hundred corpses we were given the following information.

1. The corpses were Poles—the majority enlisted men with no rank badges, but some officers. Where, as the privates ranged from twenty-five to thirty, the officers were considerably older—forty-five to fifty years.

2. The majority of the corpses were dressed in topcoats, had long underwear. Those wearing just tunics had sweaters.

3. The pockets of the uniforms had been ripped and their documents taken out—except for a few that apparently had been missed.

4. On the basis of a thorough autopsy, the doctor stated that the bodies had been in the ground about two years—certainly not four. We were told that although sandy soil in a dry climate tends to mummify bodies, the soil in Katyn is damp hence had no preservative qualities.

5. Two graves had the bodies laid out meticulously in rows three deep, the top row being about three meters from the surface. Each one of these corpses had a metal tag—(put on by the Germans when they themselves dug up the bodies in the spring of 1943). The other graves had either six or eight layers of bodies thrown in helter-skelter—the pockets of these soldiers had been ripped.

6. Each corpse bore the markings of a single wound made either by a 7.65 mm. bullet or a 9.00 mm. bullet that entered the head at the base of the skull and came out at the top of the forehead. We saw enough skulls to see that the wounds were all identical, except that a very few had received two bullet wounds instead of just one. To date no body wounds have been found. In fact the corpses were all proclaimed to be in "good physical condition". The minority of the corpses had their hands tied. We were told that the bullets had been fired at close range from an "automatic weapon".

7. Evidence that the bodies were little more than two years old was on the basis of the following information. Some skulls still had hair, at any rate epidermis; the internal organs, though considerably flattened and shrunken, were only partly decayed; the liver and spleen green. There was still firm colored meat on the thighs.



The autopsies were conducted in heated tents by teams each headed by a qualified doctor with several assistants, including a secretary who took page long notes on each case.

#### *Two. Evidence given by Atrocity Commission*

We had two meetings with the members of the "Special Commission to Establish and Investigate the Circumstances of the Shooting by the German Fascist Invaders of Captive Polish Officers in the Katyn Wood." The first, during the afternoon, lasted three hours. We were read prepared statements and allowed to ask questions. Besides a detailed story of the sequence of events, we were told the substance of data collected from witnesses, much of which was repeated verbatim by the witnesses later on that night. Alexey Tolstoy, a member of the Commission, was of greatest assistance. Some questions we asked required information not on hand. He had it for us by night. In the main during this session our questions were answered willingly.

Our second meeting was conducted in the same room. This time there were Klieg lights and movies and photos were taken throughout the proceedings. The Committee sat along a long table covered by red baize at one end of the room, the press were strung along a similar table down one side. Witnesses sat directly opposite the Committee and were brought in one at a time. Aside from the photographer and one stenographer, there was no one else present.

At first the Committee refused to interrupt the testimonies for translation, but when the members of the press objected they agreed with some lack of grace. During the testimony the committee chatted and whispered between themselves and most didn't appear to listen. We were told we could question any witness, through the Committee, but the questions appeared to annoy them though not apparently due to their substance. Only one question was called irrelevant and not answered—the present job of one of the witnesses. Tolstoy later gave it to us.

The witnesses themselves were very well rehearsed, and they appeared subdued rather than nervous, their pieces having been learned by heart. Only the girl had an air of self-assurance.

When the last witness had been heard general questions were asked, some of import to the Katyn Incident, others not. Shortly, however, the representatives of the Foreign Office Press Department got up and said we'd better break up as our train was due to leave shortly. I got the distinct impression that the Committee was relieved. They had been told to put on a show for us—the show was over—and they did not want to be bothered any further. The meeting broke up without any informal chatting.

#### *3. Members of Commission*

- (1) N. N. Burdenko, Member of U. S. S. R. Academy of Sciences.
- (2) Alexei Tolstoy.
- (3) Metropolitan Nikolai of Kiev, Galovski and the Ukraine Republic.
- (4) Lieutenant General A. S. Gunderov, Chairman of the Pan-Slav Commission.
- (5) S. A. Kolesnikov, Chairman of U. S. S. R. Red Cross and Red Crescent.
- (6) V. P. Potemkin, Commissar of Education of the R. S. F. S. R.
- (7) Colonel General E. I. Smirnov, Chief of Central Medical Service Administration of the Red Army.

- (8) R. E. Melnikov, Chairman of Smolensk Regional Executive Committee.

The above-mentioned arrived at Smolensk "a few days" after the Germans evacuated Smolensk on September 25, 1943, to look into various German atrocities committed in the Smolensk region. The Committee did not start to investigate the Katyn graves until January 16, 1944. The reason given was that they had other atrocities to investigate first. We were given no information about these other atrocities, except the statement that 135,000 Russians and Jews had been killed in the Smolensk area. Presumably it is significant that Russians didn't think the Katyn graves were worth bothering about until after Polish-Soviet relations again became a big issue.

On January 16 the Commission's scientific experts opened up the Katyn graves, exhumed bodies and started meticulous postmortems on each body. Simultaneously, other members of the Commission questioned witnesses of the crime and compiled the evidence of the witnesses, and documented all papers found on corpses.

As a result of the work and exhumation of 700 bodies out of an estimated total of 12,000 the Commission reach the following conclusions:

1. Between August and September 1941 the Germans killed Polish prisoners of war on Goat Hill (one area of the Katyn Forest);

2. Later in the Spring of 1943, feeling their position unstable, the Germans hastily covered up evidence of their crime;

3. For this purpose the Germans:

(a) Re-opened graves on Goat Hill.

(b) Tortured witnesses into giving evidence that the Russians murdered the Poles.

(c) Dug up other bodies of Poles murdered elsewhere and brought them to the Katyn Forest and buried them there.

4. *The Commission's story*

(1) Position of Polish Prisoners of War Prior to German Invasion. After the Russo-Polish campaign 2,932 Polish soldiers, mostly officers, were evacuated to Siberia. The rest were put in three camps: one thirty-five kilometers West of Smolensk on the Moscow-Minsk highway, a second, twenty-five kilometers west of Smolensk on the Smolensk-Vitebsk highway, and a third, forty-five kilometers West of Smolensk in the Krasnenskoye area. (This information was supplied at our asking by Tolstoy.)

The Polish prisoners of war were brought to the above camps back in 1939. They were employed by the Soviets for work on the roads and when the Russo-German war began, the Polish prisoners remained in the West Smolensk province and continued their work digging and building roads.

With a sudden tank thrust, the Germans suddenly broke through to Smolensk on July 15-16. The question immediately arose how should the Polish prisoners be evacuated. The Commission told us, and their testimony was later upheld by a witness, Ivanov, the station master of Gnezdov railway (village outside Smolensk) that in mid-July 1941 Ivanov received a phone call from the Administrator of the Polish prisoners of war camps asking that he provide empty railway cars in which to evacuate the Polish prisoners. He had none, but tried to get some from the Smolensk station. The Commission told us that railway cars could not be provided from Smolensk because that section of the railway running between Smolensk and Gnezdov was already under artillery fire. Furthermore, the Soviet Government "had to reconcile itself to the fact that even the local inhabitants could not be evacuated. So, due to artillery fire along the railway and lack of box cars, the Polish prisoners of war, along with the native population, had to remain in this district."

After the arrival of the Germans, the Poles remained in their prison camps. A number of witnesses testified (we did not hear any) that the Poles continued to do road repair work for the Germans. When autumn came, all ditches were cleared and the mud taken away. (Here it was made clear to us that there wasn't any more useful work for the Poles to do.)

We were then told that although many witnesses confirmed that for a short time the Polish prisoners remained in the Smolensk region, no witness had yet been found who saw any Pole after September 1941.

(2) How atrocity was committed: The Katyn Forest is situated fifteen kilometers outside of Smolensk and during peacetime was the favorite Sunday pick-nicking ground for the Smolensk population. One section of Katyn Forest is known as Goat Hill. Here the NKVD had a datcha which they used for a rest home. The Smolensk population were allowed to walk freely through the NKVD property, but when the Germans arrived the whole Katyn Forest area was surrounded by barbed wire; sentries were stationed at all road entrances and signs posted saying to the effect that any trespasser would be shot at sight. The NKVD datcha was taken over by the Germans and used as headquarters for the 537th "Construction Battalion."

This headquarters employed three girls from the neighboring village of Borok. All three have given evidence on what happened and we heard one of the girls testify.

Thirty German officers and noncommissioned officers lived in the datcha. They got up late in the morning, ate well, etc. The servants did not live in, but were escorted to and from the main road by guards and were not allowed to clean the bedrooms except when a guard was present.

We heard one girl testify (Anna Mihallovna Alexeyeva) that towards the end of August 1941 she and the other girls noted that often opened and closed cars and trucks could be heard turning off the highway at the Goat Hill entrance. When this happened invariably the Germans in the datcha would go out into the woods. About ten minutes later single shots, fired at regular intervals, would be heard. When the shots ceased the officers, accompanied by German noncommissioned officers and enlisted men driving empty trucks, would return to the

datcha. Always on these days the bath house water was heated. The men went directly to the baths and returned to be served a "particularly tasty meal" plus double the usual hard liquor ration. The girl said on these days the soldiers seemed noisier than usual and talked more. Once Alexeyeva was asked to wash off fresh blood from one of the noncommissioned officers' sleeves.

We were told that "the girls guessed without difficulty that the Germans living in the datcha were engaged in killing." The Commission asked witness Alexeyeva how she guessed it was Poles, not Russians, who were being killed. She answered readily that one day she was ordered to return home early even though her work was not yet finished. She was escorted to the main Smolensk-Vitebsk road as usual. En route to her village she noticed some German sentries and Polish prisoners walking along the highway. She recognized the Poles by their characteristic cap. The group turned off at the Goat Hill entrance. Alexeyeva hid in the bushes and waited and soon heard the familiar shots, one after another.

Another day one girl heard noises near the datcha and looked out and saw two Poles hovering around under guard. She was ordered back into the kitchen, but her "feminine curiosity" got the best of her. She went back to the window and saw the Poles were being led away into the woods. Soon after two single shots were heard.

Alexeyeva said that walking down the side road to the highway each day she frequently noticed German soldiers digging sand heaps. These grew as time went on. Once she asked her sentry what was going on. The reply was, "we are digging dugouts." The Commission was asked to ask Alexeyeva if she ever noticed any odd smell around Goat Hill and she said "no."

During this whole period the Germans were combing the countryside for Poles—tracking them down. We were told that numerous inhabitants have confirmed these searches. In particular, the Metropolitan told us about the statement of one Father Oblobin, priest at Kuprino, a village in the neighborhood of Katyn Forest. Prior to the German invasion he had been priest at the village of Katyn, but the Germans tore down his house and he moved to Kuprino. The Metropolitan told us that Oblobin was able to give particularly valuable information due to his contact with his parishioners. Oblobin had told him that during August 1951 there was much talk among the parishioners about the Poles. Many people reported seeing groups of twenty to thirty being taken into the Katyn Forest. During 1942 Polish prisoners of war were not mentioned; but in the Spring of 1943 Poles again became a current subject of talk.

Aside from information obtained from the girls working in the datcha and the peasants living nearby, the Commission told us that they had received further evidence of the Germans' actions from the assistant burgomaster, Boris Bazilevsky.

We heard Bazilevsky testify. Prior to the German invasion he had been a professor of astronomy in Smolensk. He had been asked by the traitor burgomaster, Menshagin, to serve as his assistant. He protested on grounds that he knew nothing about civil affairs, but on being threatened with death if he refused, he took the job and held it from July 1941 until October 1942, hoping thereby "to be able to help the plight of the local population in some ways."

Once he approached Burgomaster Menshagin with the request to help get a local school teacher out of concentration camp, also to try to improve general conditions in camps as epidemics were starting and there was fear that soon the entire population might become infected. Menshagin reluctantly agreed. A few days later, mid-September 1941, he informed Bazilevsky that von Schwetz, head of the German Gestapo in Smolensk, had turned down his request on the grounds that he, von Schwetz, had received word from Berlin demanding that harsher treatment be given in the Smolensk concentration camps. Bazilevsky asked Menshagin if he figured that was possible—to make things any tougher than they already were—to which Menshagin replied "yes". Then confidentially he whispered in Bazilevsky's ear that things were going to be made tougher for the Russian prisoners so that they would die a natural death due to exposure, disease, etc., but that the Polish prisoners were going to be liquidated \* \* \* liquidated in the most precise and literal meaning of the word \* \* \*. Some days after this meeting in the beginning of October 1941 Menshagin told Bazilevsky that the directive about the Poles had been carried out, that they had been shot in the neighborhood of Smolensk.

Bazilevsky relayed this information to his close friend, Professor Yefimov. Yefimov, we were told, upholds Bazilevsky's story. As Menshagin left Smolensk with the Germans his testimony was not available.

Aside from this verbal testimony the Commission told us they had some written evidence in the form of Menshagin's personal notebook. (We were shown a photostatic copy of the crucial pages of this notebook.) A committee of experts had confirmed that these notes were in Menshagin's own handwriting.

An insert dated August 15, 1941, said "all escaped Polish prisoners of war should be detained and turned over to the German headquarters." A few pages further on was an annotation to remember to ask the chief of the Russian police "if there are any rumors circulating among the population about the shooting of the Polish prisoners of war." The Commission stressed to us the significance of this note, that the Germans must have been worried about talk among the villagers of the atrocity, which apparently they wanted to keep secret.

The Commission told us that they had wanted to get information on the motive of the crime. Here again Bazilevsky proved useful. He told us about a "very candid" conversation between himself and the Gestapo chief in which the latter had told him that "the Poles are harmful people and inferior, therefore, the Polish population can serve usefully only as manure and so create space for the widening of the Lebensraum of the Germans." The Gestapo chief went on to tell him that no intellectual class had been left in Poland itself.

We were later told that other reasons for the German mass killing of the Poles was due to the tendency of Poles to go over to the Red Army.

From September 1941 on until the spring of 1943 all discussion of Polish prisoners stopped.

The Metropolitan quoted Father Oblobin (priest of nearby village) as saying that beginning in 1943 there was a marked nervousness amongst the Germans and an increase in their harshness. He pointed out that this general change of atmosphere for the worse coincided with the end of the battle of Stalingrad. Oblobin believed that the Germans spread rumors of the Russian mass killing of Poles so as to try and strengthen their position among the local population.

In the spring of 1943 the Germans published stories in the three quisling local papers telling of the murder of Poles at Katyn during March and April 1940, by the NKVD. The Commission told us that they had interviewed the stenographer who had typed the articles.

Next the Germans searched out witnesses to confirm their story. We saw three men who had been questioned and beaten by the Gestapo, one of whom was the Gnezdov station master, the two others peasants. All three were tortured into signing documents, the contents of which they did not understand.

Failing to get any direct information from the local population, the Germans next issued a poster (we saw a photostat of it) written in grammatically incorrect Russian saying the following: "Who can give testimony on the mass murder of the Bolsheviks against Polish prisoners and members of the clergy? Who saw the Polish prisoners of war in Goat Hill adjoining the Katyn highway? Who observed Poles going from Gnezdov to Goat Hill? Who saw or heard the shots fired? Who knows members of the population, who can testify? Every bit of information will be rewarded. Send information to German Police Headquarters in Smolensk and Gnezdov." The poster was dated May 3, 1943 and signed by an officer of the German police. The Commission told us that the Germans, failing to get the needed information, then began the work of setting up the proper "stage scenery" on Goat Hill. First, they set about the gruesome work of digging up Polish corpses. From concentration camp No. 126 they imported 500 Red Army prisoners of war to do the work, and when the work was completed the Soviet prisoners of war were marched away to be shot. One managed to escape and sought shelter in the house of citizen Moskovskaya. Though the Gestapo later found him, she had full details of the story which the Commission gave us.

It goes as follows. Not only did the Germans dig up the Polish bodies in the Katyn Forest, but by night they imported in big tarpaulin-covered German trucks bodies of Poles that they had massacred elsewhere at the Kozelsky Camp (in the South Smolensk Province) and from the Starobelsky Camp (in the Ukraine between 200 to 250 kilometers from Smolensk). We were told that a number of witnesses confirmed the story of trucks coming into the Goat Hill, their load identified by the unmistakable stench.

As they were dug up, the Germans tagged each corpse with a metal number, slit open the pockets and removed all papers they could find that bore dates later than March and April 1940 and looted the pockets of any money and valuables. They imported a corpse specialist called "Butz" from Berlin to make an investi-

gation and to prove scientifically that the bodies found were buried in the Spring of 1940.

The German authorities organized compulsory excursions to Goat Hill, so that the local Smolensk population could see for themselves. Among the visitors was Zubkov, a Soviet doctor, whom we saw. Zubkov testified that, as a pathological anatomist, he could rightly say that at that time none of the bodies could possibly be more than a year and a half old. The Commission stressed Zubkov's statement to us that to his knowledge the Germans conducted no autopsies, that the German specialist Butz was not interested in conducting a scientific investigation—loot from the pockets of the dead was what he was after, and dated documents that would compromise the German story. It took Butz three months to accomplish his task.

3. Documents found on the Polish Corpses: The final act of the Germans was to route out and either kill or deport any person who might have information proving the whole Polish incident was a fake. They caught all but a few of the men they had beaten into signing false evidence and the three girls who had been servants at the Goat Hill datcha.

Despite the thoroughness of the pocket ripping by the Germans, out of the seven hundred corpses the Commission have so far investigated, 146 items have been found. The earliest date was found on a postcard—March 1940—and the latest—an unmailed postcard dated June 20, 1941. We were shown all these documents and trinkets and the most important and significant ones were translated for us. They included letters from Warsaw and Moscow dated in the winter of 1940, receipts for valuables dated in the Spring of 1941 and numerous newspaper clippings dated from early 1940 through early 1941. In particular we were shown documents with communist leanings. The Commission inferred that the Polish prisoners of war had pro-Soviet rather than pro-German leanings.

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REPORT WRITTEN BY MR. JOHN MELBY AFTER VISITING KATYN IN JANUARY 1944

[Enclosure No. 1 to Despatch No. 207 dated February 23, 1944, from American Embassy, Moscow]

#### Trip to Smolensk and the Katyn Forest, January 21-23, 1944

We left Moscow, in company with seventeen newspaper men and including Czech, Polish, and Spanish newsmen, at 4:00 p. m., January 21, for Smolensk on a special train which had been put at the disposal of the party. We were the first foreigners to visit Smolensk since its occupation by the Russians on September 25, 1943. We did not arrive in Smolensk until 10:00 a. m. the following morning, 220 kilometers from Moscow, presumably because military traffic had the right of way on the railroad. Since most of the trip was made by dark there was small opportunity to observe along the way. During the daylight hours little rolling stock was seen on the sidings and almost no military supplies along the single-track line. We saw only one troop train of a dozen boxcars, dirty and with straw covering the floor. The troops appeared to be work battalions rather than line troops. Outside Smolensk there were some seventy-five boxcars and three locomotives which had been turned off the track and burned. The closer we came to Smolensk the more evidence there was of destroyed buildings and blown-up bridges. Almost none of the buildings had been replaced and generally only enough bridges to supply one or two lines of traffic in the railroad yards. The railroad yards in Smolensk itself were a complete shambles, only enough having been rebuilt to keep operations along.

We were met in Smolensk by the Secretary of the Special Commission to Establish and Investigate the Circumstances of the Shooting by the German Fascist Invaders of Captive Polish Officers in the Katyn Woods. He took us first on a short tour of the city to witness the damage. The first thing noticeable was that every bridge over the Dnieper had been destroyed, the only crossing point for road and motor traffic being one temporary wooden structure. The railroad does not cross the river at this point. In the city it is difficult to find a structure which has not been damaged. Most of the destruction seems to have been caused by demolition, and there was little evidence of fire. The city once contained 7,900 buildings. There now remain 300, of which only 64 are stone structures, the rest being one-story wooden houses. The remaining population lives in the cellars of the wrecked buildings. The Lenin Library is a total loss, and the books were either burned or removed by the Germans. According to official figures, the population of Smolensk is now about 30,000 as compared with

a prewar figure of 185,000. In and around Smolensk the Germans are alleged to have massacred 135,000 Russians.

After the tour of the city we were taken out to the Katyn Forest, some fifteen kilometers west of Smolensk on the Vitebsk highway. We were met there by a battery of movie cameras and the surgeon who is in charge of the exhumations of Polish bodies and the postmortems. He told us that 700 bodies have already been exhumed from seven graves and that there are perhaps a total of twelve to fifteen thousand. This is pure estimate. The six graves on which the most work has been done are approximately twenty-five feet square and vary in depth from three to ten feet. In two of them the bodies are laid out in rows; in the others they are simply piled in. As each body is exhumed it is taken to a tent for examination, approximately 120 bodies being examined daily by eleven crews. After examination the bodies are laid in rows in a field which we inspected. Despite the freezing temperature, there was no doubt they had been dead a long time.

Every one of the bodies seen wore a Polish Army uniform, a preponderance being uniforms of enlisted men. Each one had a warm topcoat or heavy underwear. All pockets had been ripped open prior to exhumation by the Russians, but a wide selection of documents and miscellaneous items are being found which were missed in the previous searching by the Germans. All items found are taken to Smolensk for examination and classification. Every skull we saw contained a bullet hole at the base of the skull and a second one just above the forehead. The holes were made by bullets varying from 7.6 mm. to 9.5 mm. On the skulls where skin or hair is left powder burns are in evidence. The brain, flesh, and organs of each body are also examined. The doctor in charge said that the state of decomposition proves the men cannot have been dead much more than two years. A number of the bodies had small, rectangular metal clips attached to the lapel of their overcoats, bearing only numbers. The highest number seen was 2032. These were on the bodies said to have been exhumed by the Germans in 1943.

We were later taken to see the dacha which was used as headquarters by the German occupation forces in the forest. It had previously been an NKVD rest home. It lies about a quarter of a mile from the graves and beyond the road, overlooking the river. It was completely destroyed by the Germans when they withdrew.

During the afternoon the Commission held a press conference at which one member, V. P. Potemkin, read a previously prepared statement. Its principal points were as follows: The Commission for the Investigation of Atrocities in Smolensk arrived in the city shortly after its capture from the Germans on September 25, 1943. Experts started to work on the Katyn Forest murders on January 16, 1944. After the occupation by Russia in 1939 of Eastern part of Poland several camps of Polish prisoners of war were established to the West of Smolensk. These prisoners were used on road construction work, officers included. In July 1941, the Germans suddenly broke through the line at Smolensk and enveloped the city. It had been planned to evacuate the Poles to the West and a requisition was put in for a train to do so. This request was refused because of the shortage of trains to move even the civilian population of Smolensk. In any event, the Germans were already shelling the railroad.

After the occupation the German 537th Construction Battalion moved into Katyn and put a wire fence around it. Three Russian girls were put to work cleaning the dacha which was used as headquarters. They were constantly under sentry guard. In August 1941, according to the testimony of one of them, Andreeva, they frequently heard trucks coming into the forest. The officers quartered in the dacha would then go out. Shortly after the girls heard single shots at regular intervals. The trucks would leave and the officers would return, noisy and excited. One time one of the girls noticed blood on an officer's tunic. Another time one of the girls saw two Polish soldiers outside the window. They were led into the forest by Germans. Shortly thereafter she heard shots. Still another time one of the girls while walking down the road saw a group of men approaching. She hid in the bushes and saw they were a group of Poles who were led into the forest. Later she heard shots. All during August and September 1941, Poles were rounded up from the countryside. After the end of September 1941, no one saw any more Poles.

The above statements are further corroborated, according to the Commission, by other testimony. The traitor B. G. Menshagin, a lawyer, was in close communication as occupation mayor of the town, with the German commander in Smolensk, and was assisted by B. V. Bazilevski, formerly director of the Smolensk

Observatory. In August Menshagin told Bazilevski that orders had been received "to liquidate Polish prisoners." He added that the Russian prisoners would die of "natural causes." Sometime later he said the orders had been carried out. He is reported to have given the same information to other persons. When Menshagin was later evacuated with the Germans he left behind him his notebook. His handwriting has been verified. An entry of August 15, 1941, states that orders had been issued for all detailed Poles to be turned over to the German authorities. Subsequent entries state that execution orders had been carried out.

With reference to the motive for these executions, Bazilevski testified he had been told by Hirschfeld of the SD that it is "an historical fact the Poles are an inferior race and hence it is a good act to kill them." He added that all Polish intellectuals had been killed.

Father Alexander Oglobin, of the parish of Katyn, testified according to Potemkin, that his parishioners had talked in 1941 of the events in the forest. During 1942 there was no talk. Then it started again in the early part of 1943 at a time when the Germans were exhibiting great nervousness and greater harshness of treatment toward the Russians. The first public notice was in the spring of that year when the local German paper printed a story that the NKVD had murdered Polish officers in Katyn during March and April of 1940. This same story was reprinted in three other papers at the same time and was designed to improve the position of the Germans. The Germans then began searching for witnesses to substantiate their statements, using torture to obtain what they wanted. When the Germans evacuated they tried to take with them or destroy all witnesses they had used. To strengthen their case further they opened some of the graves, using 500 Russian prisoners from concentration camp No. 126 for labor. Once the job was done the Russians were in turn killed, except for one who managed to escape in the melee. He was sheltered by an old peasant woman, Moskovskaya, to whom he told the above story before he was recaptured and executed himself. During the exhumation the Germans removed all documents from the bodies, especially those dated later than April 1940. They did, however, overlook some, including one unmailed postcard dated June 20, 1941. Before closing up the graves the Germans brought to Katyn the bodies of other Poles from other graves and camps in order to concentrate in one spot all the alleged atrocities by the Russians. And finally, in March 1943, the Germans organized compulsory excursions of the local citizenry to the graves before they were again closed.

Potemkin then stated the conclusions of the Commission:

1. During August and September 1941, the Germans killed in the Katyn Forest all Poles in the vicinity of Smolensk.
2. Feeling their position insecure in 1943 they attempted to blame the incident on the Russians.
3. To implement this position the Germans opened the graves, searched the bodies, sought witnesses for their case, and added bodies from elsewhere to those in Katyn.

In answer to a question, it was stated that prior to August, 1941, there were three camps of Polish prisoners: Camp No. 1 was thirty-five kilometers West of Smolensk on the Minsk highway, containing 2,932 Poles who were sent to Siberia finally; Camp No. 2, twenty-five kilometers West of Smolensk on the Vitebsk highway; and Camp No. 3, thirty-five kilometers West of Smolensk.

We were then taken to inspect the collection of miscellaneous items taken from the pockets of the Polish soldiers. This collection consisted of letters, books, newspapers, personal items, money. We were also shown eleven twenty United States dollar gold pieces, one fifty dollar note, and numerous dollar bills. A major portion of the dated evidence, such as letters and newspapers was prior to or during March and April 1940 and included a copy of *Izvestiya* of April 11, 1940. There were, however, letters bearing Moscow postmarks as late as June 1941.

During the evening the Commission held a session devoted to questioning the witnesses whose testimony had earlier been summarized by Potemkin. It soon became apparent that the session was staged for the benefit of the correspondents and that the witnesses were merely repeating stories they had already given the Commission. The show was staged under hot and blinding klieg lights and motion picture cameras. In all, five witnesses were produced who added nothing to what had been said at the press conference. Attempts by the correspondents to question the witnesses were discouraged, and finally permitted reluctantly only through the members of the Commission. All witnesses were shunted out of the



room as rapidly as possible upon finishing their statement. There was also an argument about translation of the testimony, this finally being agreed to.

The first witness told how he had been forced to turn evidence for the Germans in 1943; the second, Alexeyeva, told of her work in the dacha; the third, Bazilevsky, recounted his association as assistant burgomaster; the fourth, Zukhov, an expert in "criminal medicine," told of his "excursion" to the forest in the spring of 1943 and his belief that the bodies could not have been three years old; the fifth, Ivanov, the local station master who had been unable to supply a requisition of forty cars to move the Poles in 1941, told of conditions during the German break-through and of being forced to give evidence for the Germans in 1943.

All the statements were glibly given, as though by rote. Under questioning the witnesses became hesitant and stumbled, until they were dismissed by the Commission. Bazilevsky was ludicrous when one correspondent asked him why he was now so excited by the murder of 10,000 Poles when he also knew that 135,000 Russians had been killed in the same area, and he answered that the Poles were prisoners of war and it was an outrageous violation of international law for them to be massacred.

The atmosphere at the session grew progressively tense as the correspondents asked one pointed and usually rude question after another. At midnight it was announced abruptly that our train would leave in one hour. Just before the meeting broke up Alexei Tolstoy, a member of the Commission, who had apparently sensed that matters were not going well and who has had the most foreign contacts of anyone on the Commission, produced answers to several questions which had earlier been passed over. The members of the Commission were hasty and formal with us in their farewells, and the earlier atmosphere of at least semicordiality had disappeared.

The Polish correspondent who accompanied us, and who slept noisily through most of the press conference, a captain in the Polish Army and the editor of *Wolna Polska* under Wanda Wasilewska, told me that the present investigation has no interest for the Poles in Russia since it is obvious that the Germans committed the crimes and that therefore it is pure "political provocation" on the part of the Russians. Certainly the members of the Commission were not at all pleased when leading questions were asked. On the return trip the Foreign Office officials who accompanied us were almost unduly anxious on the return trip to be assured that we were convinced. It is apparent that the evidence in the Russian case is incomplete in several respects, that it is badly put together, and that the show was put on for the benefit of the correspondents without opportunity for independent investigation or verification. On balance, however, and despite loopholes the Russian case is convincing.

Chairman MADDEN. Can you identify that document, Mrs. Mortimer?

Mrs. MORTIMER. I identify that as my report.

Chairman MADDEN. You may proceed, Mr. Machrowicz.

Mr. MACHROWICZ. Mrs. Mortimer, you were in Moscow in February 1944, were you not?

Mrs. MORTIMER. I was.

Mr. MACHROWICZ. And January 1944?

Mrs. MORTIMER. Yes, I was.

Mr. MACHROWICZ. In what capacity?

Mrs. MORTIMER. I was then in the capacity as the daughter of my father, who was Ambassador.

Mr. MACHROWICZ. And in January 1944, members of the foreign press were invited by the Soviet authorities to visit the Katyn place; is that right?

Mrs. MORTIMER. That is right.

Mr. MACHROWICZ. Do you remember how many there were?

Mrs. MORTIMER. I would say offhand 20.

Mr. MACHROWICZ. How many Americans were in that group?

Mrs. MORTIMER. I would say they were predominantly American and British. I really don't remember how many did go. But I would

say the members of the foreign press corps that were in Moscow at the time went to the Katyn Forest.

Mr. MACHROWICZ. Did you ask permission to accompany them?

Mrs. MORTIMER. My father asked permission for me. Yes.

Mr. MACHROWICZ. And you did accompany them?

Mrs. MORTIMER. And I did accompany them.

Mr. MACHROWICZ. And is this exhibit 20 a copy of the report which you filed?

Mrs. MORTIMER. That is right.

Mr. MACHROWICZ. In that report you state your opinion that the Poles were murdered by the Germans. Is that right?

Mrs. MORTIMER. That is right.

Mr. MACHROWICZ. Can you state how you came to that conclusion?

Mrs. MORTIMER. I can state it by reading what I said in the report. I wrote it 8 years ago, and I have refreshed my memory before coming down here to testify.

Mr. MACHROWICZ. Will you read the first three paragraphs, which are the complete statement of the report. The balance is a report of the inspection; am I right?

Mrs. MORTIMER. That is right. And that was my opinion at that time, having been to the Katyn Forest.

Mr. MACHROWICZ. Would you read those first three paragraphs into the record?

Mrs. MORTIMER. Do you want me to read them aloud?

Mr. MACHROWICZ. If you wish. Or would you rather have me read them?

Mrs. MORTIMER. I can read them.

Mr. MACHROWICZ. All right.

Mrs. MORTIMER (reading):

The party was shown the graves in the Katyn Forest and witnessed post mortems of the corpses. As no member was in a position to evaluate the scientific evidence given, it had to be accepted at its face value.

The testimonial evidence provided by the Commission and witnesses was minute in detail and by American standards petty. We were expected to accept the statements of the high-ranking Soviet officials as true, because they said it was true.

Despite this it is my opinion that the Poles were murdered by the Germans. The most convincing evidence to uphold this was the methodical manner in which the job was done, something the Commission thought not sufficiently important to stress. They were more interested in the medical evidence as conclusive proof and the minute circumstantial evidence surrounding the crime.

Mr. MACHROWICZ. The balance of the report is the report of the actual inspection. That completes the statement of the conclusions; am I right?

Mrs. MORTIMER. I believe so.

Mr. MACHROWICZ. As you stated there, no member was in a position to evaluate the scientific evidence and you had to accept it at face value?

Mrs. MORTIMER. That is right.

Mr. MACHROWICZ. And you stated also that the testimony was petty, by American standards, and you were expected to accept the statements of the high-ranking Soviet officials as true because they said it was true.

Mrs. MORTIMER. Yes.

Mr. MACHROWICZ. But, despite that, you came to the conclusion that the Poles were murdered by the Germans?

Mrs. MORTIMER. That is right.

Mr. MACHROWICZ. One of the reasons that you give in the sentence which follows that is: "The most convincing evidence to uphold this was the methodical manner in which the job was done, something the Commission thought not sufficiently important to stress."

You felt that because of the methodical manner in which the murder was committed, the Russians were incapable of it. Is that right?

Mrs. MORTIMER. This is trying to remember my train of thought at that time. I believe that there were German atrocities that were found, in which bodies were piled in the same order with the same type of bullet wound, had been found elsewhere.

Mr. MACHROWICZ. You do not have that same opinion today as you had in February 1944, do you?

Mrs. MORTIMER. I can say that before coming down here I read your interim report.

You had access to every side of the picture, which I did not have available to me, and I would say, having read your report, that my opinion is that the Russians did kill the Poles.

Mr. MACHROWICZ. In fairness to you, it must be stated that you did not have access to the information which we have today; did you?

Mrs. MORTIMER. That is right. I merely was a witness of the show that the Russians put on for the benefit of the foreign correspondents in Moscow.

Mr. MACHROWICZ. You considered it a show put on for the benefit of the correspondents in Moscow; at least you so labeled it later in the report; did you not?

Mrs. MORTIMER. Yes.

Anywhere you went in Russia, a show was put on. You could not travel normally anyway.

Mr. MACHROWICZ. At the bottom of page 1, paragraph 1, you state:

The corpses were Poles—the majority enlisted men, with no rank badges, but some officers. Where, as the privates ranged from 25 to 30, the officers were considerably older—45 to 50 years.

Do you know now that actually there were nothing but officers found in those graves? How did you come to the conclusion that the majority were enlisted men, with no rank badges?

Mrs. MORTIMER. I presume I did that on the basis that they wore enlisted men's uniforms.

Mr. MACHROWICZ. In paragraph 2, you state:

The majority of the corpses were dressed in topcoats, had long underwear. Those wearing just tunics had sweaters.

Later on in the report, on page 4, you state that you were informed that the Germans killed these Poles between August and September 1941. Am I right?

Mrs. MORTIMER. Yes.

Mr. MACHROWICZ. Did it not occur to you to be strange that between August 1 and September 1941, that being summer, that the majority of these corpses were still dressed in topcoats, had long underwear, and that those just wearing tunics had sweaters?

Mrs. MORTIMER. That was definitely one of the questions that I know was prime in our minds as we were going back to Moscow and discussing it among ourselves.

Mr. MACHROWICZ. That raised some doubt in your mind as to the truth of the Russians' story; did it not?

Mrs. MORTIMER. Yes.

Mr. MACHROWICZ. But it did not change your eventual opinion? Were you permitted to question witnesses?

Mrs. MORTIMER. My Russian was not that sufficiently good.

Mr. MACHROWICZ. Were you permitted to question them through an interpreter?

Mrs. MORTIMER. I don't believe I asked to.

Mr. MACHROWICZ. On page 3 of your report you state:

At first the committee refused to interrupt the testimonies for translation, but when the members of the press objected they agreed with some lack of grace. During the testimony the committee chatted and whispered between themselves and most didn't appear to listen. We were told we could question any witness, through the committee, but the questions appeared to annoy them though not apparently due to their substance. Only one question was called irrelevant and not answered—the present job of one of the witnesses. Tolstoy later gave it to us.

And then you state the following:

The witnesses themselves were very well rehearsed, and they appeared subdued rather than nervous; their pieces having been learned by heart. Only the girl had an air of self-assurance.

Did the fact that these witnesses appeared to be rehearsed and had learned their testimony by heart raise any question of doubt as to the truth of the Russian version?

Mrs. MORTIMER. I can only say that, as I remember it, in the afternoon or early evening, we were told by one of the members of the Commission what we were going to hear later on that night, and the exact, same phraseology was used both times.

In other words, they were giving us a second showing of what we had already heard.

Mr. MACHROWICZ. You state further:

When the last witness had been heard, general questions were asked, some of import to the Katyn incident, others not. Shortly, however, the representatives of the Foreign Office press department got up and said we had better break up as our train was due to leave shortly.

then you follow up with these words:

\* \* \* I got the distinct impression that the committee was relieved. They had been told to put on a show for us—the show was over—and they did not want to be bothered any further. The meeting broke up without any informal chatting.

Mrs. MORTIMER. That was my impression.

Mr. MACHROWICZ. Did you discuss with the American members of the committee what their impression was?

Mrs. MORTIMER. I remember that going back on the train, certainly we sat around and talked. We brought up various points that had impressed us.

Mr. MACHROWICZ. Mr. Cassidy testified that on the way back to Moscow the correspondents joked among themselves and said that the Russians certainly put on a show, they tried to put on a show, and they remarked about the fact that there was no sincerity about the testimony that was given to them. Do you remember any such comments?

Mrs. MORTIMER. I don't remember sitting at the same table in the dinner car with Mr. Cassidy. I may have but I don't remember that. I said myself they put on a show. And I can't imagine spontaneity coming into this type of investigation, to which foreign correspondents would be invited, at that time, in Russia.

**Mr. MACHROWICZ.** Mr. Cassidy also testified that the exhibits which you refer to as having been taken from the bodies of the deceased actually were not taken from the bodies in the presence of the committee, but were under a glass case.

**Mrs. MORTIMER.** They were in a relic museum, in glass cases.

**Mr. MACHROWICZ.** Actually, then, no member of the group saw these exhibits taken from the bodies of the deceased, but they were already in a museum, in a separate building?

**Mrs. MORTIMER.** No. I witnessed the post mortems that were going on in the tents by the graves.

**Mr. MACHROWICZ.** You witnessed the post mortems but, as you stated in your report, as no member was in position to evaluate the scientific evidence, you had to accept it at its face value; is that right?

**Mrs. MORTIMER.** That is right.

**Mr. MACHROWICZ.** But these exhibits that you referred to as having been found on the corpses, were not taken from the corpses in your presence, they were in a museum at the time?

**Mrs. MORTIMER.** That is right—in Smolensk, which was some distance away.

**Mr. MACHROWICZ.** Whether or not they were fabricated or taken from some other place you do not know; you just had to take the word of the Russians for it?

**Mrs. MORTIMER.** I can state that, due to the odor in the room, that there would be no question in my mind that these documents had been taken from bodies that had been buried a considerable length of time.

**Mr. MACHROWICZ.** There could have been some documents added to those that had been taken, could there not?

**Mrs. MORTIMER.** I would think so. I would be in no position to judge that.

**Mr. MACHROWICZ.** And you yourself observed the fact that most of these corpses were in topcoats; with long underwear, and sweaters?

**Mrs. MORTIMER.** That is right.

**Mr. MACHROWICZ.** Despite the fact the Russians claimed the massacre had taken place between August and September 1941?

**Mrs. MORTIMER.** That is right.

**Mr. MACHROWICZ.** That is all.

**Chairman MADDEN.** Mr. Dondero.

**Mr. DONDERO.** Mrs. Mortimer, were there any other nationalities present, outside of the American reporters, and the Russian commission?

**Mrs. MORTIMER.** I believe there was a Frenchman.

**Mr. MITCHELL.** Was he a reporter?

**Mrs. MORTIMER.** Yes; a French reporter. And I think there was a Polish one.

**Mr. O'KONSKI.** Yes, there was, because they slept through the whole performance.

**Mr. MACHROWICZ.** Two of them.

**Mr. DONDERO.** Were there any others besides that?

**Mrs. MORTIMER.** Not that I recall. The press group in Moscow was predominantly American and British, and this one Frenchman.

**Mr. DONDERO.** Was there any other correspondent—and I refer particularly to the American correspondents—that wrote a report similar to yours, or came to the same conclusion?

Mrs. MORTIMER. I do think that Richard Lauterbach, in his article in Time, which came out at that period, I think that you will find that he said that most of us thought that the Germans had done it.

Mr. MITCHELL. Where is Richard Lauterbach today?

Mrs. MORTIMER. He died.

Mr. MITCHELL. Was it very well known that he was pro-Soviet, pro-Communist, at that time, when you were over there?

Mrs. MORTIMER. I could not say so.

Mr. MITCHELL. For your information, Ed Anglely, Henry Cassidy, Bill Lawrence, all of whom were with you, said that he jumped the fence and was very pro-Soviet-minded at that time.

Mr. DONDERO. Just a moment.

You news reporters have a saying among yourselves, I am informed, that if a thing is "phony," the story is, you say, "rigged." Did you have any impression while there, from things you observed, that that story might have been "rigged"? And I refer to the statement made that the witnesses seemed to have their words rehearsed, and so forth.

Mrs. MORTIMER. I believe, as already has been brought out, that I did say that they put on a show for us. Well, I had been in Moscow some time before I went to Katyn. It was quite usual, whenever I went anywhere, that a show was put on for you, and that if speeches were made, they were rehearsed. So that did not necessarily surprise me.

Mr. DONDERO. All those who took part, as far as concerned showing you the corpses, in the commission, were all Russians; is that correct?

Mrs. MORTIMER. They were.

Mr. DONDERO. Did they talk English to you?

Mrs. MORTIMER. No; I cannot remember if Mr. Tolstoy spoke English or not. I believe he did.

Mr. DONDERO. How far is the Katyn Forest from Moscow?

Mrs. MORTIMER. It was overnight by train, and I think it was two-hundred-odd kilometers.

Mr. DONDERO. How long did you stay there?

Mrs. MORTIMER. We were there a full day.

Mr. MITCHELL. How long were you at the forest itself, at the graves?

Mrs. MORTIMER. In terms of hours, I would not know. I could not remember. I know we arrived early in the morning, and we probably got back on the train at 2 a. m. the following morning.

Mr. DONDERO. Did the other American correspondents write their conclusions of that visit?

Mrs. MORTIMER. I was not there at the time, so I did not see what they reported. I mean I did not have access to the American press there in Moscow, so I would not know.

Mr. DONDERO. From your statement, there were 15 or 20 in the party, but they were nearly all Americans. Outside of yourself and Mr. Lauterbach, you know of no other story that corresponded with yours, or your conclusions?

Mrs. MORTIMER. The only story that I read was my own.

Mr. DONDERO. You did not see any story of any of the other correspondents?

Mrs. MORTIMER. No.

Mr. DONDERO. Whether they wrote any or not, you are not informed as to that?

Mrs. MORTIMER. I am afraid I am not.

Mr. DONDERO. That is all.

Chairman MADDEN. How many bodies did you view?

Mrs. MORTIMER. There were several graves opened. I know that I had to see more post mortems than anybody else, because each one of the doctors involved wanted me to see one.

Chairman MADDEN. Did you see 10, or 20, or 30?

Mrs. MORTIMER. You mean bodies lying around?

Chairman MADDEN. Yes; that you viewed?

Mrs. MORTIMER. I would say several hundred, or hundreds.

Chairman MADDEN. Did you know that the Germans had made a similar autopsy?

Mrs. MORTIMER. Yes, and they had put little metal tags on the uniforms, numbered tags.

Chairman MADDEN. Did they tell you that a year and a half before, the Germans had made a similar investigation?

Mrs. MORTIMER. I was in London at the time of the German announcement, and I read about that in the British press.

Chairman MADDEN. Did the Russians tell you about that investigation that the Germans had made there at the grave site?

Mrs. MORTIMER. What they told us was subsequently published in their report, and I cannot, offhand, remember if they mentioned the German report, or not.

Chairman MADDEN. Did they not mention anything about the German investigation there, at the grave site?

Mrs. MORTIMER. No. In other words, they did not present it to us as "The Germans said this, and we say it is not so." They presented a case, as I remember it, without any reference.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. Mrs. Mortimer, your report, in fact, reminds me of a Congressman from my home State who at one time talked about a half hour against a certain bill and he concluded by saying that, "Now I talked myself out of it and I am going to vote for it."

The thing that amuses me about your report is that your reasoning destroys your conclusion. In other words, as I read your report, and, frankly, I read it at least 10 times—you have in it more reasons why the Russians did it and not the Germans, than you have that the Germans did it. I cannot understand how you could have arrived at that conclusion.

Frankly, as I read your report, I come to the conclusion that it was not the Germans who did it, it was the Russians.

That leads me to ask you this question: How old were you when you went on this mission?

Mrs. MORTIMER. Twenty-five.

Mr. O'KONSKI. Would you tell us why your father selected you instead of, perhaps, somebody older and somebody who, perhaps, was a medical authority or something of that nature? Your father touched on it, but, I think, for the record, that ought to be brought out again. Why did your father select you to go on this mission?

Mrs. MORTIMER. My impression is that he selected me because he thought it would be more difficult for them to refuse him if he asked that I go than if he asked a medical officer or somebody else.

Mr. O'KONSKI. That sounds logical.



I asked that question, because the first time your name did come up, that you went on this mission, the average criticism immediately was, "Well, why would so young a girl be picked for so responsible a job?" I am glad to get the answer to that question, because it was a very serious mission that you went on. That clarifies it.

Coming back to my original comment, that as I read your reasoning I cannot agree with your conclusion in your report, that prompts me to ask this question:

Did you arrive at your conclusion independently and entirely on your own reasoning, entirely on your own thinking? Did anybody exert any pressure or any force or any hint to you at all in arriving at your conclusion?

Mrs. MORTIMER. No.

Mr. O'KONSKI. One of the reports, either yours or Mr. Melby's, tells how the Polish representatives——

Mrs. MORTIMER. That was Mr. Melby's report, I believe.

Mr. O'KONSKI. Seemingly slept through the whole demonstration and exhibition. Do you remember that also?

Mrs. MORTIMER. I do remember it was a very small room. As I said, I think I remember we were quite close to this museum where the personal effects of these corpses had been placed. It was terribly hot, there were kleig lights. We were there for many, many hours, and I can well understand how some of the people would have been drowsy, because we had to hear the testimony not only twice, but four times, because it had to be translated to us in English.

Mr. O'KONSKI. But even then, they were not truly representative of the Polish people. Do you think that under those conditions they would be found asleep, when it comes to finding out something about what happened to 15,000 murdered fellow men?

Mrs. MORTIMER. That I truly cannot answer. I know I stayed awake.

Mr. MITCHELL. Were there any pictures taken?

Mrs. MORTIMER. As I remember it, there were certainly facilities, in terms of the kleig lights. How often the cameras were rolling, I don't know.

Mr. MITCHELL. Have you ever seen yourself in that film?

Mrs. MORTIMER. No; I have never seen myself in it.

Mr. MITCHELL. I will be delighted to show it to you sometime. It is a picture of you and the correspondents going there. I would like to have you verify some of the names in that for the members of the committee, of the people who were with you in that film.

Mrs. MORTIMER. I will be very pleased to do so, to the best of my ability.

Mr. PUCINSKI. I wonder if you would straighten out one point for us here.

There has been some speculation that you went to Katyn as a correspondent or adviser or observer for the OWI. Did you have any connections with the OWI at that time?

Mrs. MORTIMER. I was a correspondent in London for News-week magazine, before I went to Moscow, and I resigned from that post when I went to Moscow with my father. I worked for the OWI in a purely unofficial capacity. Everybody there at the Embassy was very short-staffed and, in other words, pitched in and helped.

**Mr. PUCINSKI.** Did you file any reports for the OWI as a result of your visit to Katyn?

**Mrs. MORTIMER.** No; this was the only thing I wrote.

**Mr. PUCINSKI.** I have one more question: You were quite admired in Moscow, were you not? You were 25 years old, and the Ambassador's daughter, and people sort of looked to you with a great deal of respect, did they not?

**Mrs. MORTIMER.** At the time I went to Moscow I was the only American woman there.

**Mr. PUCINSKI.** The reason why I asked that question is this: I was wondering, had your observations and had your conclusions been different, had you believed in all the reasoning through your report, which indicated so strongly that the Soviets committed this massacre, could you, or were you in a position to so state; or were you somewhat bound by your position in Moscow to say that it was the Germans who did this?

**Mrs. MORTIMER.** I would not say that my position in Moscow would have any bearing on what I would write in a report. I have been a correspondent before, and writing up a news story was not something that—

**Mr. PUCINSKI.** You were free of any pressures, to state your conclusions as you saw them?

**Mrs. MORTIMER.** When I came home, my father asked me to write down what I had seen, and that is what I did.

**Mr. PUCINSKI.** And what is your conclusion today?

**Mrs. MORTIMER.** I have since had the opportunity to read your interim report and read what the New York press has said about your committee, and you had access to every side of the picture, and I think, undoubtedly—

**Mr. PUCINSKI.** Aside from our report.

**Mrs. MORTIMER.** Well, that is my information on it.

**Mr. PUCINSKI.** Aside from our report, can you think of anything that you observed there in 1944 at Katyn, which may strengthen the evidence that we have already compiled, to the conclusion that the Soviets murdered these men? In retrospect today, is there anything that you observed at that time that would strengthen that belief today?

**Mrs. MORTIMER.** I would say that would be, offhand, hard to answer now, without going over your report here and mine here.

**Mr. PUCINSKI.** No further questions.

**Chairman MADDEN.** As a final question let me ask: You would testify today, would you, that the Russians committed the massacre at Katyn?

**Mrs. MORTIMER.** I would.

**Chairman MADDEN.** Thank you for appearing before us today as a witness.

**Mrs. MORTIMER.** Thank you very much for inviting me.

**Chairman MADDEN.** Mr. Melby.

#### TESTIMONY OF JOHN F. MELBY, ALEXANDRIA, VA.

**Chairman MADDEN.** Will you be sworn, please?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

**Mr. MELBY.** I do.

Chairman MADDEN. You may proceed, Mr. Machrowicz.

Mr. MACHROWICZ. You are John Melby?

Mr. MELBY. John F. Melby; yes.

Mr. MACHROWICZ. What is your address?

Mr. MELBY. 123 Prince Street, Alexandria, Va.

Mr. MACHROWICZ. And in January and February 1944, you were in Moscow as the Third Secretary of the United States Embassy, were you not?

Mr. MELBY. That is correct.

Mr. MACHROWICZ. You filed a report of your investigation of the Katyn massacre, did you?

Mr. MELBY. That is correct.

Mr. MACHROWICZ. And you were present, were you not, at the same time that Miss Harriman was?

Mr. MELBY. That is right.

Mr. MACHROWICZ. And your report also had the conclusion that the Germans were responsible; is that right?

Mr. MELBY. That it was a fairly convincing case.

Mr. MACHROWICZ. I do not think you used the word "fairly" there.

Mr. MELBY. Well, "convincing."

Mr. MACHROWICZ. I would like to point out to you and ask you whether or not you did not include this in your report:

During the evening the Commission held a session devoted to questioning the witnesses whose testimony had earlier been summarized by Potemkin. It soon became apparent that the session was staged for the benefit of the correspondents and that the witnesses were merely repeating stories that they had already given the Commission. The show was staged under hot and blinding klieg lights, and motion-picture cameras. In all, five witnesses were produced who added nothing to what had been said at the press conference. Attempts by the correspondents to question the witnesses were discouraged, and finally permitted reluctantly only through the members of the Commission. All witnesses were shunted out of the room as rapidly as possible upon finishing their statement. There was also an argument about translation of the testimony, this finally being agreed to.

and further on you state as follows:

All the statements were glibly given, as though by rote. Under questioning, the witnesses became hesitant and stumbled, until they were dismissed by the Commission. Bazilevsky was ludicrous when one correspondent asked him why he was now so excited by the murder of 10,000 Poles, when he also knew that 135,000 Russians had been killed in the same area, and he answered that the Poles were prisoners of war and it was an outrageous violation of international law, for them to be massacred.

The atmosphere at the session grew progressively tense as the correspondents asked one pointed and usually rude question after another. At midnight it was announced abruptly that our train would leave in 1 hour. Just before the meeting broke up, Alexei Tolstoy, a member of the Commission, who had apparently sensed that matters were not going well, and who has had the most foreign contacts of anyone on the Commission, produced answers to several questions which had earlier been passed over. The members of the Commission were hasty and formal with us in their farewells, and the earlier atmosphere of at least semicordiality had disappeared.

you further state as follows:

\* \* \* Certainly the members of the Commission were not at all pleased when leading questions were asked. On the return trip the Foreign Office officials who accompanied us were almost unduly anxious on the return trip to be assured that we were convinced. It is apparent that the evidence in the Russian case is incomplete in several respects, that it is badly put together, and that the show was put on for the benefit of the correspondents, without opportunity for independent investigation or verification.

now, this is all in your report.

Then you add one very brief sentence:

\* \* \* On balance, however, and despite loopholes, the Russian case is convincing.

now, can you tell us how that last sentence could be put in there in view of all the statements which you, yourself, put in just preceding that which, of course, created doubt as to the veracity of the Russian story.

Mr. MELBY. As I think you suggested there, I was not 100 percent convinced, by any means. I think it should also be noted that I had had the benefit only of the Russians' side of the story. I was, as a matter of fact, not really aware of what the German charges had been, since I had been in travel status when they came out with them, and I knew nothing of anything they had talked about in any report that they had made. I knew only what the Russians had shown, and also, at that time, anything I might have heard on the Germans would have naturally been discounted, since we had had considerable experience with atrocities on their part at that time, and practically, none as far as the Russians were concerned, because they were not publicizing anything they were doing.

Mr. MACHROWICZ. And earlier in the report you also stated that all of the officers wore overcoats and sweaters and winter clothing.

Mr. MELBY. That is right.

Mr. MACHROWICZ. And that, despite the fact that the story given to you by the Russians was that the Germans had killed them in August 1941—in a summer month?

Mr. MELBY. That seemed curious that they should be in that kind of clothing then. But it is a fairly cool part of the country, and the only thing I could think of there was that perhaps they kept them in year-round clothing at the time, rather than having them change it.

Mr. MACHROWICZ. But you were still convinced that the Russians were telling the truth?

Mr. MELBY. On the basis of what we knew there, it seemed so.

Mr. MACHROWICZ. Is that still your opinion today?

Mr. MELBY. No; it is not.

Mr. MACHROWICZ. Do you feel now that you were in error in filing this report?

Mr. MELBY. That is correct, sir.

Mr. MACHROWICZ. That is all.

Mr. PUCINSKI. Mr. Chairman, I have one question.

Chairman MADDEN. Very well.

Mr. PUCINSKI. Mr. Melby, did you discuss your visit to Katyn, and what you saw there, with the Soviet officials on your way back to Moscow?

Mr. MELBY. I don't remember talking about it to the Soviet officials. There were one or two people from the Foreign Office who escorted us, and I don't remember any others. I don't remember discussing it with them.

Mr. PUCINSKI. Did any Soviet official suggest to you that you might come up with the conclusion that it was the Germans that did this?

Mr. MELBY. The Commission themselves that investigated it.

Mr. PUCINSKI. I mean on the train, in personal conference.

Mr. MELBY. No.

Mr. PUCINSKI. Did you feel at the time you wrote this report—and, obviously, as Mr. Machrowicz said, it is difficult for us to reconcile

how you could write this whole report and then draw a conclusion that the Germans did this—did you feel that that possibly was the answer your superiors in the State Department and Washington would prefer?

Mr. MELBY. No; I had no reason to have any idea as to what kind of answer they would want.

Mr. PUCINSKI. You had no reason?

Mr. MELBY. No.

Mr. PUCINSKI. Nevertheless, you knew that there were very close relations at that time between the United States and the Soviet Union?

Mr. MELBY. Yes, sir.

Mr. PUCINSKI. And did you feel that you might be somewhat putting yourself in an unfavorable light if you drew your conclusions on the basis of your reasoning and the rest of your report, and concluded the Soviets did this?

Mr. MELBY. No, sir; not at all.

Mr. PUCINSKI. There was no such fear in your mind?

Mr. MELBY. No, sir; not at all.

Mr. DONDERO. How long were you there, Mr. Melby?

Mr. MELBY. We arrived early one morning, 7 or 8 o'clock, and were there in the area until about 2 a. m. the following morning.

Mr. MACHROWICZ. Frankly, Mr. Melby, I am at a loss—I am perfectly frank and honest in saying that I am at a loss—to understand why you included so many paragraphs creating a doubt as to the truth of the Russian story if you came to the conclusion that they were telling the truth?

Mr. MELBY. I wanted to put in as much as I saw, so that perhaps somebody else could clarify later on.

Mr. MACHROWICZ. Ninety-five percent of your report is a report stating that the Russians are lying, and then you finally say, in five or six words, that, despite that, the Russians—

Mr. MELBY. Not that they "are lying" but that there are unanswered questions.

Mr. PUCINSKI. Mr. Melby, are you aware of the fact that the Allied correspondents who went to Katyn refused to voice a conclusion? They wrote their stories on what they saw, but they refused to try and voice a conclusion.

Mr. MELBY. I never saw any of the stories that they wrote; we did not get the press back.

Mr. PUCINSKI. Maybe we can clear up a question that Mr. Machrowicz was asking you:

Why did you come to a conclusion when, on your own evidence, you could not reach a conclusion?

Mr. MELBY. Because I had no other basis on which to go except the Russian side of the story.

Mr. PUCINSKI. Were you asked to come to a conclusion?

Mr. MELBY. No.

Mr. PUCINSKI. You volunteered the conclusion yourself?

Mr. MELBY. Yes.

Mr. MACHROWICZ. Would it not be more fair to you to state that the conclusion, under the circumstances, was that "I am unable to state who is responsible for these murders?"

**Mr. MELBY.** I probably should have put in a qualifying clause in there that, although they may make their case, this is only one-half of the story. I should have known all sides of it.

**Mr. PUCINSKI.** And you are certain that nobody asked you to voice a conclusion on your visit to Katyn?

**Mr. MELBY.** Absolutely certain.

**Chairman MADDEN.** How long were you in Russia before you went to Katyn?

**Mr. MELBY.** I arrived there in May 1943.

**Chairman MADDEN.** How many months before?

**Mr. MELBY.** It would have been about 7 months.

**Chairman MADDEN.** How long were you there after you went to Katyn.

**Mr. MELBY.** Until April 1945, a little over a year more.

**Chairman MADDEN.** Are there any further questions?

(There was no response.)

**Chairman MADDEN.** That is all, Mr. Melby. Thank you for appearing as a witness.

**Mr. MELBY.** Thank you, sir.

**Chairman MADDEN.** The committee will recess now to convene tomorrow morning at 10 o'clock.

(Whereupon, at 5:45 p. m., the committee recessed until 10 a. m., Thursday, November 13, 1952.)





# THE KATYN FOREST MASSACRE

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THURSDAY, NOVEMBER 13, 1952

HOUSE OF REPRESENTATIVES,  
THE SELECT COMMITTEE ON THE KATYN FOREST MASSACRE,  
*Washington, D. C.*

The committee met at 10 a. m., pursuant to recess, in room 1301, House Office Building, the Honorable Ray J. Madden (chairman) presiding.

Present: Messrs. Madden, Machrowicz, Dondero, O'Konski, and Sheehan.

Also present: John J. Mitchell, chief counsel to the select committee, and Roman Pucinski, chief investigator.

Chairman MADDEN. The committee will come to order.

## TESTIMONY OF STANISLAW MIKOLAJCZYK, PRESIDENT, INTERNATIONAL PEASANT UNION

Chairman MADDEN. Mr. Mikolajczyk, would you take the chair there and be sworn?

Do you solemnly swear the testimony you are to offer at this hearing will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MIKOLAJCZYK. Yes, sir.

Chairman MADDEN. Will you state your full name for the record, please?

Mr. MIKOLAJCZYK. Stanislaw Mikolajczyk.

Chairman MADDEN. And your address?

Mr. MIKOLAJCZYK. 1402 Delafield Place NW., Washington, D. C.

Chairman MADDEN. And your business?

Mr. MIKOLAJCZYK. I am president of the International Peasant Union. Its head office is located here in Washington.

Chairman MADDEN. Mr. Counsel, you may proceed.

Mr. MITCHELL. Mr. Mikolajczyk, where were you born?

Mr. MIKOLAJCZYK. I was born in 1901, in Holsterhausen, Germany.

Mr. MITCHELL. Would you briefly tell the committee what you did prior to World War II? What were your duties at that time? Were you in the Government of Poland?

Mr. MIKOLAJCZYK. I left as a child from Germany and was working as a farmer in Poland.

In 1918 I took part in the uprising against the Germans for a free and independent Poland.

In 1920 I was a soldier in the army fighting the Bolsheviks.

And after that I was working as a chairman of the farm organization, a member of the Parliament, and as a chairman in the youth organization.

Mr. MITCHELL. Where were you on September 1, 1939?

Mr. MIKOLAJCZYK. I was at that time in the army. I volunteered in the army, and in September 1939 I was a soldier in the western front of Poland.

Mr. MITCHELL. Will you tell the committee what happened to you after that, please?

Mr. MIKOLAJCZYK. Afterward I was interned in a prisoner-of-war camp in Hungary. From Hungary I escaped to France. Then there I was entrusted by General Sikorski to prepare the formation of a parliament in exile. The chairman was Mr. Paderewski, and I was his acting vice chairman.

Mr. MITCHELL. At the time you were in Hungary, you were in a German prisoner-of-war camp; were you?

Mr. MIKOLAJCZYK. No. I was in a Hungarian prisoner-of-war camp. We were interned in Hungary.

Mr. MITCHELL. You were interned in Hungary?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. Then you escaped from there and went to France; is that right?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. Were you in the Polish Army in France?

Mr. MIKOLAJCZYK. I repeat, in France I was entrusted by General Sikorski to prepare the creation of the Polish Parliament in Exile, and here, under the chairmanship of Mr. Paderewski, I was acting as a Vice Chairman of the Polish Parliament in Exile in France.

Mr. MITCHELL. In what year was the formation of the Polish Government in Exile?

Mr. MIKOLAJCZYK. In 1939, its seat was first in Paris, later in Angers, in France.

Mr. MITCHELL. When did the Polish Government in Exile go to London?

Mr. MIKOLAJCZYK. 1940.

Mr. MITCHELL. When the Polish Government in Exile went to London, what was your position at that time?

Mr. MIKOLAJCZYK. I was still the Chairman of the Polish Parliament in Exile, and in 1941 I became the Vice Premier and the Minister of the Interior.

Mr. MITCHELL. How long did you remain as Vice Premier and Minister of the Interior for the Polish Government in London?

Mr. MIKOLAJCZYK. Until 1943, when, unfortunately, in the catastrophe in Gibraltar, our Prime Minister, General Sikorski, died.

Mr. MITCHELL. Was that that airplane crash that the committee was told about yesterday?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. On April 13, 1943, Goebbels announced to the world the finding of the mass graves of Polish officers at Kaytn. Will you tell this committee exactly what the Polish Government in Exile did at that time, from your own personal knowledge?

Mr. MIKOLAJCZYK. Before I answer your question. I would like to tell the committee that, as Minister of the Interior, I was following very closely the developments in Poland.

Already in 1939 and 1940 we were getting news from Poland that in December 1939 the Polish officers who had been taken prisoner of war in Soviet Russia were expected to be released and be sent back under the German occupation.

Later, all news was cut, and no news arrived in Poland.

After the Sikorski-Stalin agreement, we tried to get the news about these officers from the Soviets. There were many personal conversations between General Sikorski and Mr. Kot, the Ambassador, and General Anders. There were notes sent over to the Soviet Ambassador Bogomolov, in London.

We always got the answer "Your prisoners of war have been released, and they must be free."

Stalin even told General Sikorski personally that maybe they had escaped to Manchuria. But we could not locate these people. They did not appear in the headquarters of the Polish Army, at that time formed in Soviet Russia, and even until March 1942, Bogomolov was answering in his notes to the Polish Government that all prisoners of war were free and had been released by the Soviet authorities.

Mr. MITCHELL. What was Bogomolov's position at that time?

Mr. MIKOLAJCZYK. He was ambassador of Soviet Russia to the Polish Government in London.

Finally, in April 1943, we got the news that the Germans announced that the bodies of the Polish officers had been found near the Katyn Forest.

It was very interesting because the first communiqué which was announced by the Soviets gave the explanation that probably there were misunderstandings because this place which had been announced by the Germans was an old cemetery and maybe the Germans just found the old place with the bodies.

A few days later, the Soviets announced that the Polish officers, being still prisoners of war, had been taken over by the Germans and had been murdered.

We really knew from all the evidence through the underground, through the letters, and also through a special mission sent by the underground to investigate the case, that this was not the case.

Mr. MITCHELL. May I interrupt a minute?

When did the Polish underground in Poland start investigating the missing Polish officers?

You, as the Minister of the Interior, knew a great deal about the Polish underground operations; is that correct?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. When did the Polish underground in Poland first start trying to locate or find out any information about the missing Polish officers who were interned in the Soviet Union?

Mr. MIKOLAJCZYK. We were trying to locate these people all the time from 1939, and, as I said before, we were getting the news that they were Soviet prisoners of war. They were writing to Poland until the beginning of 1940, and from that time no news was heard from them.

Mr. MITCHELL. You were telling the committee about the announcement about the old burying ground on the part of Molotov of the Soviet Union; is that correct, when I interrupted you?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. Will you please proceed now?

Mr. MIKOLAJCZYK. The Polish Government announced their wish to investigate the case, and thereafter a note was sent to the International Red Cross at Geneva——

Mr. MITCHELL. Before you take that up, sir, let me ask: Did the Polish Government in Exile rely solely on the information of the Goebbels broadcast, or did you receive any information from your Polish underground sources in Poland?

Mr. MIKOLAJCZYK. We did not believe Goebbels at all, and the communiqué at that time released by the Polish Government denounced the Germans.

The Poles knew very well what the Goebbels propaganda was worth after all that the Nazis had practiced against the Polish and Jewish people in Poland. Therefore, we were not viewing this thing from the point of view of Goebbels' propaganda.

But we knew a long time before that that these officers were missing. We knew that something had happened to them, because communication with them and the letters which were being received from them had stopped.

And, more, we got official answers from the Soviets, including the note that they had been released.

Therefore, we were convinced long before. We had such good contacts with Poland under the German occupation, as well as the Russian occupation, that we could locate immediately men or some group of men who would be freed. Therefore, we knew that these men had vanished.

We could not find what had happened to them.

We knew also, and were getting news from Soviet Russia.

Therefore, when the announcement came, there wasn't any doubt on our part that the Soviets did it, and it was our duty to ask the International Red Cross for investigation.

Mr. MITCHELL. Will you proceed with what you did in connection with the International Red Cross? What happened with that?

Mr. MIKOLAJCZYK. Unfortunately, the reaction to the demand to investigate was very bad from the Soviets, who denounced it, saying that it was just purely Goebbels propaganda and they would not participate in it, as well as by the western public opinion and western governments who were of the opinion at that time that this would rather spoil the Allies' relations in the big fight against Germany.

So, finally, General Sikorski, the Prime Minister, after this attempt failed, had to withdraw the demand from the Red Cross.

Mr. MACHROWICZ. Would you care to state now whether you feel, in your own opinion, it was a mistake to ask the International Red Cross to investigate?

Mr. MIKOLAJCZYK. No. I stated in my book, as I also want to state here, that it was the duty of the Polish Government to do so. I stated—and I want to state today—that in the conversation with the British Ambassador to the Polish Government, Mr. O'Malley, I said, "Yesterday there was discussion in the House of Commons. During this discussion, one of the Labor Members of the Parliament, Mr. Shinwell, went up and asked Mr. Eden to ask the Soviet Government to intervene in Japan, where American and British prisoners of war have been maltreated."

And I asked, "Is there a difference between an American or British soldier and a Polish soldier? Haven't we at least the same right to

ask the Red Cross as here is being asked on behalf of the American and British officers and soldiers maltreated in Japan?"

Mr. MACHROWICZ. The point was raised, as you probably know, yesterday, that President Roosevelt felt that your Government erred in not having consulted with the American and British Governments before making that request. Do you have any comment on that?

Mr. MIKOLAJCZYK. No.

Mr. MACHROWICZ. Did you consult with the American or British Governments before making the request?

Mr. MIKOLAJCZYK. I was not in charge at that time; therefore, I could not tell you how much consultation was going on on the subject.

Mr. MACHROWICZ. That is all.

Mr. DONDERO. I have a question or two, if counsel has completed his questioning on that.

Mr. MITCHELL. Yes, sir.

Mr. DONDERO. Mr. Witness, do you know anything about the files of the NKVD being captured by the Germans at Minsk, Russia?

Mr. MIKOLAJCZYK. No; I don't know.

What I wanted to tell the committee is the other problem about files, namely, when I returned to Poland after June 1945, I was approached by the prosecutor, Mr. Sawicki. Mr. Sawicki one day appeared in my office and asked me about the Katyn case.

Mr. DONDERO. Was that the Russian prosecutor?

Mr. MIKOLAJCZYK. It was the Polish prosecutor in 1946.

He told me, "Myself and the Minister of Justice, Mr. Swiatkowski, are intending to bring a public trial about the Katyn case in Poland. What is your opinion about that?"

I said, "I think it is absolutely necessary to clear the Katyn case and have a public trial."

Mr. Sawicki asked me then, "And what would you like to tell in such a public trial?"

I said, "Only the truth. And I will tell in this trial how we tried to locate these people; how we got from the Soviets all assurances that they had been already been released, and later the communiqué of the Soviets which had been published, that they were still prisoners of war at the time of their death."

At that time, through secret sources, I knew also that there was still some material obtainable in files in Poland.

Mr. Sawicki went back for a conference with Mr. Swiatkowski. They both flew over to Moscow, and later I got the news that Moscow ordered them not to touch the matter at all.

Mr. DONDERO. Do you know anything about these files that were captured by the Germans at Minsk, Russia, being later found in Pilsen, Czechoslovakia, by Patton's United States Army when he moved into that area?

Do you know anything about that?

Those files were later sent here to Washington.

Mr. MIKOLAJCZYK. I was trying to trace what happened with the files which were in possession of the German authorities as well as in the possession of the Polish Red Cross. They were very well kept under guard during the German occupation in Krakow. They seemed to be so valuable to the Germans that they were taking special care of those files.

So when the Russian Army was approaching Krakow, these files were brought, as far as I could trace, to Wotclaw. There in Wotclaw surrounded by Russian troops there was a 3-week fight. There the Germans razed the buildings on the market place, and their airplanes were flying in and out.

And I could still trace that this material had been sent into Germany proper and later into Czechoslovakia.

Mr. DONDERO. Are those the files about which I am asking you?

Mr. MIKOLAJCZYK. I could not exactly say if these are the files about the NKVD. But they were these files which the German authorities were keeping under special guard and evacuating them as the most valuable things.

Mr. DONDERO. Did you know a man by the name of Roman Martini?

Mr. MIKOLAJCZYK. No.

Mr. DONDERO. Did you ever hear that he was appointed by the Lublin government, which is the Russian-dominated Communist government of Poland, being picked out or selected to make a study of the Katyn massacre for the Russians?

Mr. MIKOLAJCZYK. I don't know about that.

Mr. DONDERO. Did you ever publish any article on that subject?

Mr. MIKOLAJCZYK. On this subject of Mr. Martini?

Mr. DONDERO. Yes.

Mr. MIKOLAJCZYK. No.

Mr. DONDERO. Did you know anything of a man being sent there ostensibly to bring in a report favorable to the Russians, but instead of that, he brought in a report holding that the Russians were guilty of killing these Polish officers? Do you know anything about that?

Mr. MIKOLAJCZYK. I don't know about Martini. I know of Mr. Sawicki, who tried to find material favorable to Russia and didn't find it, and has been advised by Moscow to drop the case.

Mr. DONDERO. Do you know, or did you know, anything about Martini later being murdered, and that his murderers had conveniently escaped?

Mr. MIKOLAJCZYK. I read this in the newspapers. Personally, I don't know.

Mr. DONDERO. That is all.

Mr. MITCHELL. Mr. Mikolajczyk, we had reached the point where the Polish Government in exile had requested the International Red Cross to conduct a neutral, international investigation at Katyn.

Could you tell us what happened during that period of time, between April 15, 1943, and May 1, 1943, on the high-level discussions between the British and American authorities on the International Red Cross situation?

Mr. MIKOLAJCZYK. As I said, our demand for investigating that by the Red Cross was received very badly even in the west, and during a cabinet meeting, Prime Minister Sikorski told us that he had exchanged arguments with the British Government about the case and he was going to withdraw the demand for the International Red Cross investigation.

Mr. MITCHELL. General Sikorski was killed on July 4 or 5, 1943; is that right?

Mr. MIKOLAJCZYK. That is right.

Mr. MITCHELL. When did you become Prime Minister of Poland for the government in exile in London?

**Mr. MIKOLAJCZYK.** I was Acting Vice Premier at the moment when General Sikorski was killed. I sent a telegram to the underground authorities because part of the Polish Government in exile was in the underground, namely, the Deputy Prime Ministers and three Ministers, and there was an underground parliament. I sent a telegram, and in about 2 weeks' time after the discussion, they asked me to take over the prime-ministership, and from that time I was appointed as the Prime Minister.

**Mr. MITCHELL.** In your official capacity as Prime Minister, when did you first talk to Mr. Roosevelt, the President?

**Mr. MIKOLAJCZYK.** It was June 1944.

**Mr. MITCHELL.** Was the Katyn affair mentioned at that time?

**Mr. MIKOLAJCZYK.** When I became Acting Prime Minister, the Polish situation became much worse. Relations were already broken with the Soviets. The attempts of General Sikorski to restore the relations did not succeed, and we were in a very desperate situation.

Our underground, which at that time grew very strong, about 300,000 soldiers in the home army and peasant battalions, was in the middle between the Nazis, under the occupation, and the advancing Soviet armies.

Therefore, my effort was to find a solution so the situation would be not so that the same people who were fighting against the Nazi occupation would either have to fight the new occupation or be murdered by the Soviets.

Therefore, all efforts were made to restore the relation with Soviet Russia and to find a guaranty and a help both from the United States as well as from the British Government to save the situation in Poland.

Therefore, I approached the American Ambassador in London with the request to see President Roosevelt, especially when we got the news that in a short time the conference in Casablanca would be held.

I asked even by a telegram for the possibility to meet the President on his way to Casablanca.

Later the Tehran Conference was held.

**Mr. MITCHELL.** When was that, sir?

**Mr. MIKOLAJCZYK.** December 1944.

Officially, the communiqué which was published speaking about the freedom, independence of Iran and China, seemed very favorable, condemning every totalitarianism and other things.

It was just what we would like also to have for Poland. We also got reports that the question of Poland had been discussed there. But we could not find any proof how this problem had been solved, if it had.

In March 1944 I sent a letter to President Roosevelt, which is a public document—I will not repeat it—emphasizing in this letter the situation of Poland and all the problems which were facing us.

The visit had been delayed for a few weeks still, but finally it was set for June 1944. Here, in a conversation with the President, I discussed all those problems with him which were facing us.

But I must say that we knew that the Soviets were bandits, but sometimes when you are in a situation when you cannot escape the presence of the bandits in your home, in this moment you will not raise the question of the previous murders in Katyn.

**Mr. MITCHELL.** Mr. Mikolajczyk, at that conference with the President, did you discuss the boundaries of Poland?



Mr. MIKOLAJCZYK. I asked President Roosevelt to back us up in our rights about the Polish territories and the frontiers of 1939. President Roosevelt answered that he would back us up, that he was convinced that he could help us to retain Lwow, Tarnopol, the potash mines in Kalusz and oil in Drohobycz, Kalisz, but he was very doubtful if he could convince Stalin about Wilno.

Mr. MITCHELL. Mr. Mikolajczyk, the Atlantic Charter was in effect at that time. One of the provisions of the Atlantic Charter was that there be no territorial gains on the part of any of the Allies.

Now, you are in the position of discussing the matter with President Roosevelt in June 1944; is that correct?

Mr. MIKOLAJCZYK. Yes, sir.

Mr. MITCHELL. At that time the President is telling you that he is not convinced in his own mind that he can save all the boundaries, but that he can save part of the eastern portion of Poland; is that correct?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. What transpired after this discussion? What did you report back to your Government.

Mr. MIKOLAJCZYK. The position of our Government was to ask the American as well as the British Government to not deal with the question of frontiers during wartime. And my discussion with President Roosevelt was along this line.

The Soviets were always bringing two conditions in public for the restoration of the Polish-Soviet relations, one, to make changes in the Polish Government in London; second, to recognize the so-called Curzon line.

Unofficially, the first demand always was that we should denounce our demand for the International Red Cross investigation and should announce that we were wrong in asking for that investigation.

So, as far as July 1944, Lebedev, in London, was emphasizing that maybe the Soviet demands about the reorganization of the Polish Government, about Poland eastern frontiers, would be changed if we announced that we were wrong in bringing the Katyn case to the International Red Cross.

And the situation was getting worse and worse in Poland. There was a tragic situation. The orders given to the Polish underground by the Polish Government and military authorities were to fight the Germans to the end and then try to go in contact with the advancing Soviet armies.

And for a few months in the eastern part of Poland, I must say that the Soviets were very favorable to collaboration with the Polish underground armies.

But the officers of the Red army were always saying, "Wait 2 or 3 days and you will see what will happen." And exactly after the job had been done in a certain area, the officers and soldiers of the Polish underground army, who were in the common fight first in the underground against the Germans and later in the open fight against the Germans, in view of the Russians' advancing forces, were arrested and sent to Siberia.

Mr. MITCHELL. Are these the Polish underground forces that were there all during the war?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. And as soon as they worked with the Soviets and came out in the open and started to fight against the Germans, after

that particular area was conquered they were shipped off to Siberia; is that correct?

Mr. MIKOLAJCZYK. Yes. Some of them were shot and some were arrested and sent to Siberia.

Now, coming back to the frontier question, we tried to get an agreement, and we announced that maybe a demarcation line would serve this problem. This was rejected. And only at the conference at Moscow in October I got to know that the question of the Polish frontiers was discussed—

Mr. MACHROWICZ. Was that October 1944?

Mr. MIKOLAJCZYK. Yes; had been discussed and settled in Tehran, namely, during the discussion, when I was still fighting in the interests of the Polish state, Molotov—

Mr. MITCHELL. Excuse me a minute so we will understand that.

Who was present at this conference that you had in October in Moscow in 1944?

Mr. MIKOLAJCZYK. There was Mr. Stalin, Molotov, Mr. Churchill and Mr. Eden, and Mr. Harriman, Professor Gravski, and Mr. Romer, and myself.

Mr. MITCHELL. Thank you.

Proceed, Mr. Mikolajczyk, please.

Mr. MIKOLAJCZYK. There during this meeting, when I was arguing with Stalin, Molotov rose and said, "But, gentlemen, what are we speaking about? This problem was already settled in Tehran."

And it was the first official acknowledgment given to me that the problem of the Polish frontiers had been settled in Tehran.

Mr. MITCHELL. When did Tehran take place?

Mr. MIKOLAJCZYK. December 1944.

Mr. MACHROWICZ. Do I understand, then, that the first time you or any other member of the Polish Government in exile knew that the boundaries of Poland had been already determined was in Moscow in December 1944?

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. How many months was that already after it had been accomplished?

Mr. MIKOLAJCZYK. I made a mistake about the year. It was December 1943, Tehran. And I was speaking about October 1944.

Mr. MACHROWICZ. Tehran was December 1943, and your Government, the officially recognized Government of Poland at that time, was first notified of territorial changes of Poland how many months after the accomplished fact?

Mr. MIKOLAJCZYK. The Soviets, in their public demand, were demanding it all the time through.

Mr. MACHROWICZ. I mean how many months after Tehran?

Mr. MIKOLAJCZYK. About 9 months.

Mr. MACHROWICZ. Nine months after Tehran you were first notified in Moscow that your own boundaries had been changed and that there was nothing more to do, nothing more to talk about?

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. And no representative of the Polish Government was present at Tehran, was there?

Mr. MIKOLAJCZYK. No.

Mr. MITCHELL. Then it was not at Yalta that the boundaries were settled. Actually, they were settled at Tehran and your first informa-

tion concerning it was at this meeting in Moscow in October 1944; is that correct?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. Proceed, please. Tell us what happened at Moscow in October 1944.

Mr. MIKOLAJCZYK. The conference did not bring any results because of the demand of the Soviets to recognize these frontiers in the first place. I went back to London.

Mr. MACHROWICZ. Just a moment before you go into that.

At that conference in Moscow in 1944, was the question of Katyn discussed?

Mr. MIKOLAJCZYK. No, sir.

Mr. MACHROWICZ. Did you not raise the question?

Mr. MIKOLAJCZYK. No, sir.

Mr. MACHROWICZ. Why not?

Mr. MIKOLAJCZYK. As I told you, sir, at that time it was a question of life and death of the Polish Nation to make or to find a certain solution in the catastrophical situation in Poland.

At that time it was not only a question of those who are already dead, but those who have been again murdered, transferred to Soviet Russia, arrested. And all our effort was to stop this.

Mr. MITCHELL. You returned to London after this Moscow conference?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. What did you tell your Government at that time? What did you tell your Government in London?

Mr. MIKOLAJCZYK. I reported the situation, all the demands. And the Government sent two letters, one to President Roosevelt, the other to the British Government, asking some explanation and also raising some points about the Polish problem.

I don't want to repeat these documents. The answer of the British Government is publicly known, as well as the letter of President Roosevelt, whose letter was brought to me by Mr. Harriman, who announced, being on his way from the White House to Moscow, that the President asked him to ask the Polish Government if he should raise once more with Stalin the question of the Polish territory. But he was empowered to do so, to speak to Stalin on behalf of the southeastern part, but not about Wilno.

Mr. MITCHELL. In other words, what you are telling the committee this morning is that Mr. Harriman told you that when he went through London on his way to Moscow, he had permission from the President of the United States to discuss only the portion of Poland that you had previously discussed with the President, the southeastern portion, and no other discussion?

Were those the instructions Mr. Harriman had to discuss with Stalin?

Mr. MIKOLAJCZYK. As I say, Mr. Harriman brought the letter which was in answer to the Polish Government to all other questions, and he told me that he was empowered to approach once more Mr. Stalin, if the Polish Government would see that it would be useful, and fight on behalf of us for the eastern territories, concerning the southeastern territories, not the Wilno area.

I want to make it clear that it does not mean he said, "I acknowledge that this territory should be ceded." He said he was empowered to fight for those territories.

Mr. MITCHELL. Only the southeastern part?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. Therefore, there was to be a change, in the eyes of the American representatives, of some type?

Mr. MIKOLAJCZYK. I would say that is much of the same line that President Roosevelt told me, that he was convinced that he would be able to save for us from Stalin the southeastern territories, but he was doubtful if we would be able to save Wilno.

Mr. MACHROWICZ. I have one question, turning back again to this Moscow meeting.

When you, as the then Prime Minister of the legally recognized Government of Poland, were informed that several months prior thereto the boundaries of your own country had already been determined, did you make any protestations?

Mr. MIKOLAJCZYK. I asked the question immediately at the meeting.

Mr. MACHROWICZ. I mean during the meeting.

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. Did you make any protestations during that meeting?

Mr. MIKOLAJCZYK. I asked, "Is it true?" because it was a shock to me.

From the British side, it was acknowledged. I asked Mr. Harriman. After the conference he said, "It must be a misunderstanding. I will ask the President and will give you all information."

Mr. MACHROWICZ. Did you make any other protestations?

Mr. MIKOLAJCZYK. The whole meeting was a protestation. I was sitting alone against the Big Powers.

Mr. MITCHELL. Now, will you tell the committee what happened in London when you reported back to your Government?

Mr. MIKOLAJCZYK. My Government was of the opinion that if we were getting help only for the southeastern part, that meant we were conceding the other part.

My personal opinion was that we don't concede anything, but in this tragic situation we should seek every help and in every form which is available. Therefore, I resigned.

Mr. MITCHELL. You resigned at that time?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. Will you give us a specific reason why you resigned?

Mr. MIKOLAJCZYK. There was a difference of opinion. The majority of the Government was of the opinion that if we could not get the backing of all our interests concerning the eastern frontiers, and if we should ask Mr. Harriman that he would approach once more about the southeastern part, that meant we were giving up the other part, our rights to the other part.

I was of the opinion that we were not giving up our rights and that we, in our desperate situation, should take and ask for every help which was possible under the circumstances.

Therefore, I resigned.

Mr. MACHROWICZ. Do I understand, then, the reason for your breaking with the London Polish government was your insistence on not giving in at all on territorial concessions? Is that correct?

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. Mr. Mikolajczyk, in other words, what you were doing for breaking with the London government is that you were taking the position of President Roosevelt; is that correct?

In other words, you were accepting the fact that it was best to be on the side of the big powers in this discussion?

Mr. MIKOLAJCZYK. I don't think it is a question to be on one side or the other. I was always on the side of the Polish nation.

But I was in the position of the weak, who have to take sometimes, even with humiliation, what is offered to them and ask for help in a terrible situation, even if a big and strong one is not giving you everything which you want.

Mr. MITCHELL. Now will you tell the committee what happened to you from 1944 through June of 1945?

And when I am referring to that period, I refer to the Yalta provisions which provided that the three ambassadors, Molotov, Clark-Kerr, the British Ambassador, and Harriman would get together then to try to work out some kind of an arrangement. I understand that you were a private citizen in England at that time.

Mr. MIKOLAJCZYK. After my resignation I was a private citizen and also the chairman of the Polish Peasant Party.

Mr. MITCHELL. You were chairman of the Polish Peasant Party?

Mr. MIKOLAJCZYK. Yes. Mr. Witos, the former three-times Polish Minister, was in Poland. We tried to bring him out from Poland in 1944. Unfortunately, the airplane that was flying didn't find the right conditions, and the next month it was already too late to bring him out from Poland.

Mr. MITCHELL. Was the Polish Peasant Party still a member of the government in exile after you resigned?

Mr. MIKOLAJCZYK. The Polish Peasant Party was not a member of the government in exile in London, but was still a member of the underground parliament and underground government in Poland. In February 1945 the Yalta Conference took place. After the Yalta Conference, on the 17th of March, the Policy Deputy Prime Minister in Warsaw, Mr. Janrowski, was approached by a Soviet officer named Pimonow.

After the second meeting there, they were asked to meet with Soviet General Iwanow, a member of the Parliament and a member of the underground government, plus General Okulicki, former commander of the underground home army, which at that time had been dissolved. On March 28, 1945, there also went 12 other underground leaders to meet the Soviet general.

Mr. MITCHELL. Had the so-called Lublin government been established by the Soviets at that time?

Mr. MIKOLAJCZYK. There were two stages in establishing the so-called Lublin government. First, after my visit to the White House in June 1944, President Roosevelt telegraphed Stalin if he would receive me for a conversation. He got a negative answer. Then the British Government took over the initiative and pressed for a meeting.

On the 30th of July 1944, I made my first trip to Moscow. Only when I was in Cairo did I get the news that in the meantime, on the

25th of July, the Soviets had recognized the Lublin group, but not as a government, but rather as a so-called administrative body. It turned out later that this administrative body had to sign the concession, on the 24th of July 1944, about the Curzon line, conceding all of the territories, east from that line to Soviet Russia and, secondly, to agree that all of the justice on the whole Polish territory would be done by the Soviet commander of the advancing Red Army.

So I was considering in Tehran whether there was still reason to fly in when the day before this had occurred. I got a telegram encouraging me to go in, and I went to Moscow.

Mr. MACHROWICZ. Was this telegram from Mr. Harriman?

Mr. MIKOLAJCZYK. No. It was a telegram from my Government at that time.

Mr. MACHROWICZ. You mean the London Government?

Mr. MIKOLAJCZYK. Yes.

Mr. MITCHELL. Mr. Mikolajczyk was still Prime Minister.

Mr. MIKOLAJCZYK. And at this moment there was also an uprising in Warsaw, against the Germans took place. My first duty, therefore, was to ask Stalin for help in the Warsaw uprising. After the first 4 days, I got the answer that there was no uprising at all, that there was no fighting at all, that it was only propaganda of the Polish underground.

After 6 days they acknowledged the flight in Warsaw, and Mr. Stalin promised to send his liaison officers, and there was even some technical advice given from Warsaw through London to Moscow how the contact could be made. But after the conversation and my return to London, Stalin didn't send any help and even acted against the help for the Warsaw uprising.

When I asked Mr. Churchill and President Roosevelt to intervene Stalin opposed it for a long time, although 104 American airplanes were ready to fly from the London airports over Warsaw and drop supplies.

Mr. DONDERO. May I ask whether the uprising was one led by General Bor?

Mr. MIKOLAJCZYK. Yes, sir.

Mr. MITCHELL. That was the first step in the formation of the Lublin government?

Mr. MIKOLAJCZYK. Yes. The second step was in December 1944, when the Lublin administrative body, so-called, announced themselves as the Polish Government. On the 7th of January 1945, they were recognized by the Soviet as the Polish Government. Unfortunately, the text of the Yalta agreement, de facto, recognized this Lublin government and spoke only about the reconstruction of this government.

As I said before, in March 1945, the 16 leaders went in Warsaw supposedly for a conference with General Iwanow. There they were told that they would be flown over to Moscow for a political conversation, a conference. They were even promised that after the conversation in Moscow they would have the right to fly over to London. But instead of a political conversation, they were landed about 100 miles from Moscow, by accident, on snow and were brought by train to the Moscow prison.

In the meantime in April 1945 Mr. Stalin made an agreement with Mr. Bierut, of the Lublin government, about the political and military alliance between Poland and Soviet Russia.

The news about the arrest of the 16 leaders became known when finally Mr. Molotov, at San Francisco, I think in May 1945, announced that the leaders were in prison in Moscow.

Mr. MITCHELL. You were telling the committee that Molotov had conceded or announced in May 1945, at the San Francisco Conference of the United Nations, that these 16 underground leaders who were formerly members of the Polish Government in exile were imprisoned in Moscow at that time. Is that correct?

Mr. MIKOLAJCZYK. Yes, sir.

Mr. MITCHELL. Could you tell us briefly now what happened from then until July 5, 1945? I would like to have you discuss specifically the meeting that you had with Clark-Kerr, Averell Harriman, and Molotov in June 1945, how you happened to be invited to that meeting, and what transpired at that meeting. This was in conformity with the Yalta agreement.

Mr. MIKOLAJCZYK. In June 1945, I got an invitation to participate in the consultation of the three Ambassadors who, it had been announced at the conference, were first to form a provisional Polish Government and, secondly, to secure a free and unfettered election in Poland.

Mr. MITCHELL. Who did you get that invitation from?

Mr. MIKOLAJCZYK. I got the invitation from the three members of the Commission—Mr. Molotov, Mr. Harriman, and Mr. Clark-Kerr.

Mr. MITCHELL. And it was signed by all three of them?

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. Let me ask you a question there. The Polish Government in exile in London was still functioning?

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. Were any members of that Government invited?

Mr. MIKOLAJCZYK. No.

Mr. MACHROWICZ. Did you raise that point at the time you arrived in Moscow?

Mr. MIKOLAJCZYK. No.

Mr. MACHROWICZ. Why not?

Mr. MIKOLAJCZYK. If I have to answer that question, I will have to use more time to explain the Polish political situation.

Mr. MACHROWICZ. The fact is that the Polish Government in exile was not invited; is that right?

Mr. MIKOLAJCZYK. The provisions of the agreement at Yalta did not foresee that.

Mr. MACHROWICZ. Although you knew that the purpose of the meeting was to discuss the future governmental structure and the territorial boundaries of Poland?

Mr. MIKOLAJCZYK. Not the territory.

Mr. MACHROWICZ. The governmental structure.

Mr. MIKOLAJCZYK. There was the question of the forming of the provisional Polish Government and the question of the free and unfettered elections in Poland.

Mr. MACHROWICZ. But nevertheless the Polish Government in exile and no representative of that government was invited to attend?

Mr. MIKOLAJCZYK. No.

Mr. MITCHELL. At that time, for the record, will you please clarify your position? What were you at that time? You were not a member of any government, the Polish Government, I mean.



**Mr. MIKOLAJCZYK.** I think since Congressman Machrowicz asked that question, I should explain this situation. Unfortunately, before the war the Polish Constitution, after the coup d'état of Marshal Pilsudski, was a totalitarian one and was thrown on the Polish people without the consent of those people.

**Mr. MACHROWICZ.** I don't think we want to go into that. Regardless of how that constitution was formed, it did not bar you from becoming a member of that Government.

Of course, Mr. Chairman, if the witness wants to go into the question of the Pilsudski regime, it is all right with me.

**Mr. MIKOLAJCZYK.** Therefore the forming the first Polish Government in exile was not the question of the constitution. It was a question of the political agreement based on the Polish authorities of the main Polish democratic parties. As a result of this, the Polish Government in exile consisted of members of the Parliament as well as of the underground.

**Chairman MADDEN.** Let us confine this to the testimony on the Katyn massacre.

**Mr. MITCHELL.** Mr. Mikolajczyk, let me see if we can get back on the track here. We would like to have you explain at this particular time what transpired at the time of the conference between the three ambassadors, Averell Harriman, Molotov, and Clark-Kerr, and what discussions you had as an individual or as a representative of the Polish Peasant Party at that meeting in Moscow in June of 1945. Just tell us what transpired.

**Mr. MIKOLAJCZYK.** As I say, my departure from Moscow was delayed for 24 hours because I asked the release of the 16 arrested leaders of the underground. Before going to Moscow I was told that this question would be brought up at the meeting of the three members. Mr. Clark-Kerr telegraphed that he was convinced that this problem would be satisfactorily solved before the consultation took place.

Unfortunately the situation reversed itself. At the same moment when the consultation was taking place the trial of the 16 leaders occurred in Moscow. Secondly, they discussed the candidates from Poland who should be invited and that they again met the opposition of Mr. Molotov or Stalin.

Anyhow, there was the question of inviting Cardinal Sapieha. There was the question of inviting Mr. Trampczynski. There was the question of inviting Mr. Witos. There was the question of inviting the former President living in Poland, Wojciechowski.

The agreement among the three was to invite from Poland Mr. Witos, Mr. Zulawski, and Professor Kutrzeba.

When we arrived in Moscow the first conversation was with Mr. Zulawski and the dean of the Cracow University, Professor Kutrzeba.

**Mr. MITCHELL.** Mr. Mikolajczyk, the fact remains, as far as we are concerned now, that you have explained that you were invited to this conference of the three ambassadors which was provided for in the Yalta agreement. Now, as far as I am concerned, I don't have any more questions. You have clarified the record up through and including yesterday because Mr. Harriman testified here yesterday and admitted to that conference that you had in Moscow in June of 1945.

Now, I believe, Mr. Chairman, some of the members of the committee may have some questions.

Mr. SHEEHAN. I have a couple of questions.

Mr. MACHROWICZ. If I may, I would like to finish.

What was the reason for your break with the London Government?

Mr. MIKOLAJCZYK. I said that I was of the opinion that we should take every kind of help even when it was not satisfactory from the big powers. My other members said that if we don't get the whole thing, that means we are conceding our right to some Polish territory, while my opinion was we are conceding nothing and we should take every help which we are able to get.

It was rather a question of tactics.

Mr. MACHROWICZ. Then you subsequently became the Vice Premier of the so-called Unity Government in Warsaw; is that right?

Mr. MIKOLAJCZYK. The Provincial Polish Government.

Mr. MACHROWICZ. The Provisional Government under the Yalta agreement?

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. Were any of the members of the Polish London Government—did any of them participate in that Government?

Mr. MIKOLAJCZYK. You mean previous members of the Government?

Mr. MACHROWICZ. Yes; previous members.

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. Who?

Mr. MIKOLAJCZYK. Mr. Stanczyk.

Mr. MACHROWICZ. He was a member of your party who resigned with you; is that correct?

Mr. MIKOLAJCZYK. No.

Mr. MACHROWICZ. Who is he?

Mr. MIKOLAJCZYK. He is a Socialist.

Mr. MACHROWICZ. When you became Vice Premier of Poland in Warsaw, did you make any attempts to investigate the Katyn massacre?

Mr. MIKOLAJCZYK. Yes.

Mr. MACHROWICZ. What did you do?

Mr. MIKOLAJCZYK. I could do this only by secret activity, you understand. The situation was such at that time that I couldn't do—

Mr. MACHROWICZ. What secret activity could you conduct in a country dominated by the Communists?

Mr. MIKOLAJCZYK. At that time the situation was such that we could do this.

Mr. MACHROWICZ. You understood this to be a unit government, not a Communist-controlled government. Isn't that right?

Mr. MIKOLAJCZYK. No. I have never had any illusion that this agreement made with the Soviets or with the Polish Communists would be kept. The question was not a question of unity. The question was, first of all, to stop the deportation and the arrest of the thousands of Polish underground people. As a chairman of the Polish Peasant Party, I and some of the Polish peasantry and the Peasantry Battalion were involved and had the duty to do this.

Secondly, we had been accused as Poles of not being friends with our neighbors, of being such quarrelsome people, and so on, and so on.

Thirdly, by the most conservative press in the United States at that time we were accused that we didn't know what were the feelings of

the Polish people, that the situation had changed, and so on, and so on, and that we had to prove once more that we could establish good neighborly relations and help to bring about free and unfettered elections.

Mr. MACHROWICZ. Now, I understood you to say that when you entered this Government you knew that it was a Communist-dominated government?

Mr. MIKOLAJCZYK. Sure.

Mr. MACHROWICZ. And you knew that the London Government had refused to participate in it?

Mr. MIKOLAJCZYK. Yes. I knew also that the London Government was asked by the Polish underground to resign.

Mr. MACHROWICZ. Now, I have here a message dated June 23, 1945, from Ambassador Harriman to the Department of State, in which he makes this comment. I will read the comment and then ask for your comments on it.

(The portion of the message referred to was off the record.)

Mr. MACHROWICZ. Do you have any comments about that statement made by Ambassador Harriman?

Mr. MIKOLAJCZYK. What is that statement? Is that a public statement?

Mr. MACHROWICZ. This is a message which you sent to the Department of State on June 23, 1945. Does that correctly express your views?

Mr. MIKOLAJCZYK. Not exactly, but it was probably taken from the official conferences.

Mr. MACHROWICZ. What is that?

Mr. MIKOLAJCZYK. It was probably taken from the official announcements that I made and which I had to make if I wanted to have the possibility to fight in Poland for two and a half years that we had.

Mr. MACHROWICZ. Did you express then your confidence that this was one of the best pacts for a free and independent Poland?

Mr. MIKOLAJCZYK. No. I hoped that that way would lead to a free and independent Poland.

Mr. MACHROWICZ. Did you say that that would insure the participation in the Government of the great independent parties?

Mr. MIKOLAJCZYK. I did at that time.

Mr. MACHROWICZ. Did you call for closer cooperation with the Soviet Union?

Mr. MIKOLAJCZYK. We were always saying publicly and in front of Mr. Stalin that we wanted friendly relations with Soviet Russia, but as a free and independent people.

Mr. MACHROWICZ. Now, did you subsequently change your mind as to the wisdom of your joining the Polish Government in Warsaw, the so-called Unity Government?

Mr. MIKOLAJCZYK. Is that a political question or a witness question?

Mr. MACHROWICZ. Well, it is a question which you may refuse to answer, if you wish.

Mr. MIKOLAJCZYK. I am convinced that the millions of Polish people who were for two and a half years fighting Soviet domination in Poland with my help and with my participation did the best for their country as well as for the awareness of the Communist danger by the whole democratic world. From that point of view, I feel that

it was my duty to do so, and we have done our duty in my conscience well.

Mr. MACHROWICZ. On or about November 25, 1944, did you have a conversation with Ambassador Winant in London?

Mr. MIKOLAJCZYK. When?

Mr. MACHROWICZ. Around November 25, 1944?

Mr. MIKOLAJCZYK. I don't recall that. I remember once a conference with Mr. Churchill and Mr. Winant as a guest.

Mr. MACHROWICZ. I may say to you that on November 25, 1944, Ambassador Winant notified the Department of State as follows:

(The quoted statement was off the record.)

Mr. MIKOLAJCZK. Exactly as I said before.

Mr. MACHROWICZ. Do you feel that your colleagues in Government were right, and that your estimate of the future was wrong?

Mr. MIKOLAJCZYK. Today I would say, after all of the books which have been published, that I feel I was right. We should not have rejected the help of the United States at that time even when it was not fully satisfactory for Poland.

Mr. MACHROWICZ. Was not the matter not a question of the rejection of the help of the United States, but a question of appeasing Soviet Russia by accepting a shameful compromise?

Mr. MIKOLAJCZYK. I don't think so.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Mr. Sheehan.

Mr. SHEEHAN. Mr. Mikolajczyk, as the leader of the Polish Peasant Party, did you not undertake to seek out any evidence inside of Poland after the Katyn massacre about who was guilty of it?

Mr. MIKOLAJCZYK. Sir, I will express myself in this way: We were in a situation——

Mr. SHEEHAN. Did you or did you not seek out any information?

Mr. MIKOLAJCZYK. We were in a situation where officially nothing could be done.

Mr. SHEEHAN. Then you did not seek out any evidence?

Mr. MIKOLAJCZYK. No. I did everything that was possible as a person to find material, and I reported about the conference with Mr. Sawicki.

Mr. MITCHELL. Mr. Sheehan, what was the date of your question? Was it when he was Prime Minister, or afterward?

Mr. SHEEHAN. While he was Prime Minister and afterward, at any time.

Mr. MITCHELL. As Prime Minister I thought you brought out this morning that when you were the head of the interior you were working with the underground of Poland.

Mr. MIKOLAJCZYK. That is what I tried to bring out.

Mr. MITCHELL. Now, Mr. Sheehan, I believe you want to ask the witness what he did on his return.

Mr. SHEEHAN. Did you at any time seek out any evidence inside of Poland about the Katyn massacre?

Mr. MITCHELL. The answer is "Yes."

Mr. SHEEHAN. What did you do with that evidence? Where is it today?

Mr. MIKOLAJCZYK. I turned it over to the Government files.

Mr. SHEEHAN. Which government, the government in exile?

Mr. MIKOLAJCZYK. Yes.

Mr. SHEEHAN. Thank you. Are you familiar with any attempt on the part of the Warsaw Communist government to collect or destroy any evidence regarding the Katyn massacre in 1945 or thereafter?

Mr. MIKOLAJCZYK. Congressman, as I was telling you in the beginning—

Chairman MADDEN. Speak a little louder, please.

Mr. MIKOLAJCZYK. I was telling you that the Communist government tried to get all of the material, and have a public trial in Poland to clear the Soviets of the responsibility.

Mr. SHEEHAN. When was that? What year?

Mr. MIKOLAJCZYK. In 1945 and 1946.

Mr. SHEEHAN. 1945 and 1946?

Mr. MIKOLAJCZYK. Yes. But, as I said, when the Minister of Justice, who was Mr. Swiatkowski, together with Mr. Sawicki, went to Moscow, he got the answer to drop this case, and that they didn't want it.

Mr. SHEEHAN. I have no further questions.

Mr. MITCHELL. No further questions.

Mr. MACHROWICZ. May I ask this question: In your opinion, who was guilty of the Katyn massacre?

Mr. MIKOLAJCZYK. There was never any doubt for me—the Soviets.

Mr. MACHROWICZ. Did you ever express any other opinion in any interview to the newspapers?

Mr. MIKOLAJCZYK. No.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Are there any further questions?

Mr. O'KONSKI. I have several questions.

Chairman MADDEN. Mr. O'Konski.

Mr. O'KONSKI. Mr. Mikolajczyk, in your dealings with the American authorities during this critical time, did you get the impression that you should not force the issue on such things as the Katyn massacre and the truth about Stalin and the truth about Russia; that your attitude should be one more or less of compromise rather than telling the truth? Did you get the general impression in dealing with the American authorities, that is, that you should go easy on the Russians? Is that more or less the feeling that you got as represented by our country?

Mr. MIKOLAJCZYK. I didn't have the opportunity to discuss that exactly with the American authorities, but it was at that time generally said to us: "You have to settle the problems of the Polish-Soviet relations. These people are dead. You will not help them, but you will spoil the collaboration of the Allies. Therefore, keep silent."

In my letter to President Roosevelt, in 1944, I said that there were many things that had happened to us which we were not revealing so as not to spoil the relations between the Allies, but that we were appealing for help and the knowledge of truth. I had in mind this.

Mr. O'KONSKI. That is all.

Chairman MADDEN. We wish to thank you for appearing here today as a witness, Mr. Mikolajczyk.

**TESTIMONY OF ALAN CRANSTON, LOS ALTOS, CALIF.**

Chairman MADDEN. Our next witness is Mr. Alan Cranston.

Will you raise your right hand and be sworn. Do you solemnly swear that you will testify to the truth and nothing but the truth, so help you God?

Mr. CRANSTON. I do.

Chairman MADDEN. State your full name, please.

Mr. CRANSTON. Alan Cranston.

Chairman MADDEN. And your address?

Mr. CRANSTON. 1237 Hilltop, Los Altos.

Chairman MADDEN. Los Angeles?

Mr. CRANSTON. Los Altos, Calif.

Chairman MADDEN. And your business?

Mr. CRANSTON. I am in the building and real estate business.

Chairman MADDEN. All right, proceed, Mr. Counsel.

Mr. MITCHELL. Mr. Cranston, where were you born?

Mr. CRANSTON. In Palo Alto, Calif.

Mr. MITCHELL. What year?

Mr. CRANSTON. June 19, 1914.

Mr. MITCHELL. Where did you go to school?

Mr. CRANSTON. Stanford University.

Mr. MITCHELL. What year did you graduate?

Mr. CRANSTON. 1936.

Mr. MITCHELL. What did you do upon your graduation?

Mr. CRANSTON. I went to work for the Hearst newspapers, working for Universal Service and the International News Service as a foreign correspondent.

Mr. MITCHELL. Where was that work, in the United States or outside the United States?

Mr. CRANSTON. It was outside the United States, primarily in England, Italy, and in Ethiopia.

Mr. MITCHELL. England, Italy, and Ethiopia?

Mr. CRANSTON. Yes.

Mr. MITCHELL. When did you return to the United States?

Mr. CRANSTON. In the late part of 1938.

Mr. MITCHELL. What did you do upon your return to the United States?

Mr. CRANSTON. I went to work for an organization called the Common Council for American Unity. That was an organization that worked closely with the Department of Justice and other Government agencies in transmitting information to foreign-language newspapers and radio stations in this country in regard to America and American life and government problems, and which also sought to diminish discrimination in this country against people of foreign birth and extraction of all various faiths and nationalities.

Mr. MITCHELL. Did you say that this organization, the Common Council for American Unity, worked closely with the Federal Bureau of Investigation?

Mr. CRANSTON. I didn't say the Federal Bureau of Investigation. I said the Department of Justice. We collaborated with the Alien Registration Unit of the Department of Justice in getting information out to foreign-born people in this country about the Alien

Registration Act and were under contract with the Department of Justice for a time.

Mr. MITCHELL. How long were you affiliated with that Council for American Unity?

Mr. CRANSTON. I think it was something like 2 years.

Mr. MITCHELL. What did you do after that?

Mr. CRANSTON. I went to work for the United States Government shortly after Pearl Harbor, for the Office of Facts and Figures, which subsequently was merged into the Office of War Information.

Mr. MITCHELL. Can you give us the date on which you entered the Office of Facts and Figures?

Mr. CRANSTON. It was either in December 1941 or January 1942.

Mr. MITCHELL. What was your official position in the Office of Facts and Figures?

Mr. CRANSTON. At that time I was Chief of the Foreign Language Division, which had responsibilities inside this country in dealing with foreign-language press, radio, and foreign-language newspapers in general.

Mr. MITCHELL. You were Chief of the Foreign Language Division?

Mr. CRANSTON. Yes. I had the same title in the Office of War Information.

Mr. MITCHELL. This concerned only domestic matters?

Mr. CRANSTON. Yes; dissemination within the borders of this country.

Mr. MITCHELL. In other words, as we refer to it, it was not overseas, but it was domestic?

Mr. CRANSTON. That is right, although we dealt with information relating to problems overseas, the war, and so forth, and so on.

Mr. MITCHELL. In other words, you received the information coming in from overseas and then had control of the distribution of it among the foreign-language press and radio of this country?

Mr. CRANSTON. We did distribute to foreign-language press and radio groups in this country.

Mr. MITCHELL. You said that you had the same position in the Office of War Information?

Mr. CRANSTON. Yes. The Division was carried on in the Domestic Branch of the OWI. There were two branches, the Overseas Branch, which dealt abroad, and the Domestic Branch, which dealt within the borders of this country.

Mr. MITCHELL. I think that the OWI came into existence on July 25, 1942. Is that correct?

Mr. CRANSTON. Approximately at that time.

Mr. MITCHELL. Mr. Elmer Davis testified to that the other day. Now, will you tell us your specific duties in this position?

Mr. CRANSTON. The primary purpose was to distribute information to people who depended primarily upon foreign languages for their information. First of all we put out information about price control, about selective service, about war manpower needs, and so forth, working in, I think, up to 27 different languages in this country.

Mr. MITCHELL. Concerning American issues?

Mr. CRANSTON. We sought to develop the understanding of these people who depended upon foreign languages of their responsibilities in the American war effort, in understanding why we were fighting,



and we sought to cement down or nail down their loyalty to this country. We sought to keep them from developing loyalties to other nations. We wanted their loyalties to this country and to our war effort.

Mr. MITCHELL. Therefore, it was more or less an interpretation of the news of the various emergency agencies and things of that nature that you were primarily concerned with?

Mr. CRANSTON. Yes, but we were also concerned with a great many disputes and arguments which arose among these foreign-language groups due to the loyalties of some members of those to perhaps other countries or to the interests of other nations. We sought to play them down and to lay emphasis in our releases and activities that we undertook upon their devotion to the United States and to the cause of the United Nations.

I would like to say that this was a very difficult field. There were many difficult problems and personalities that we had to contend with. It was work in the foreign-language field where some 12,000,000 Americans, I believe, were foreign born and something like another 24,000,000 were the children of foreign-born parents. Some of these could not understand any language except their own.

Mr. O'KONSKI. If I may interrupt for just one question, wasn't the real purpose of your organization to instigate and sponsor loyalty to Russia?

Mr. CRANSTON. Absolutely not.

Mr. MITCHELL. How were you first appointed to the Office of Facts and Figures? What individual or organization was responsible for your appointment to the Office of Facts and Figures?

Mr. CRANSTON. As I recall, three individuals recommended me for that position. I recall the names of two. I am not sure who the third one was. One was M. E. Gilfond.

Mr. MITCHELL. Where was he?

Mr. CRANSTON. He was in the Department of Justice and in charge of public relations and information and was an assistant to the Attorney General at that time, who, I think, was Mr. Jackson. The second was R. Keith Kane. He is now a New York attorney and a member of the Harvard Corp. He is on the board, in other words, of Harvard University.

I don't recall the third person. Possibly it was Mr. Read Lewis, who is the executive director of the Common Council for American Unity, the organization I worked for. But I am not sure that he specifically recommended me.

Mr. MITCHELL. Are those the individuals whose names you put on your Government form when you applied for a position?

Mr. CRANSTON. I believe that the first two that I named were on the Government form. I know that they recommended me.

Mr. MITCHELL. Were you ever in the United States Army?

Mr. CRANSTON. I was.

Mr. MITCHELL. When?

Mr. CRANSTON. The OWI sought to defer me in the early part of 1944. I asked them not to, and I enlisted as a private in 1944. I was in until after VJ-day.

Mr. MITCHELL. Why did you decide to make that decision?

Mr. CRANSTON. I just didn't want to be deferred. I felt that it was up to the Army to decide manpower needs, and that if they wanted me

I was ready to go. I just didn't want to be deferred. I wanted to participate.

Mr. MITCHELL. You were in a very, very important job, according to your description of your duties at that time, and 1944 was a very critical year. I would like to know why you decided that your services in the Office of War Information were not, shall we say, of greater value to the national interest than joining the Army as a private.

Mr. CRANSTON. I stated in a memorandum to my superiors in the OWI that I felt that I had developed a division there that could stand on its own feet, that I had trained others who could carry on the work of the organization.

Mr. MITCHELL. When you reported to the United States Army, where did you report for duty?

Mr. CRANSTON. I was assigned first of all to this camp which is right over here in Maryland. I have forgotten the name of it. Then I was sent down to Camp Croft in South Carolina for basic training.

Mr. MITCHELL. What were your duties?

Mr. CRANSTON. I took basic training in the Infantry.

Mr. MITCHELL. After you finished the Infantry School, where were you assigned?

Mr. CRANSTON. I was thereafter assigned to the Army Service Forces, first in, I think it was, the Seventy-first Division, which was at a camp in Missouri. Thereafter I was assigned to New York City and to the Army Service Forces and worked on a publication called Army Talk, which was a document prepared for distribution once a week through the Army Service Forces for discussion purposes within the Armed Forces.

Mr. MITCHELL. In other words, after you joined the Army you went through the Infantry School and then practically reverted back to the same type of work you were doing in the OWI?

Mr. CRANSTON. But within the Armed Forces, yes.

Mr. MITCHELL. You say but within the armed services?

Mr. CRANSTON. Yes.

Mr. MITCHELL. What was your rank or rate when you reported for duty with Army Talk, and in what year was that?

Mr. CRANSTON. It was in 1944. I was a private. I became a sergeant.

Mr. MITCHELL. In what year did you become a sergeant?

Mr. CRANSTON. I presume early in 1945.

Mr. MITCHELL. When did you leave the United States Army?

Mr. CRANSTON. It was not very long after VJ-day, August or September or possibly October 1945.

Mr. MITCHELL. What did you do after that?

Mr. CRANSTON. For a time I worked in Washington for an organization called the Council for American-Italian Affairs, which was seeking to increase understanding in this country of the problems of Italy in the postwar period. I spent considerable time in Italy working for the Hearst papers, and that is why I became involved in this particular thing.

After that I returned to California and went into the building and real estate business.

Mr. MITCHELL. Reverting back to your position in the Office of War Information, will you explain to this committee how your particular

division was set up within the OWI? Was it organized, shall we say, through editors or desks or something along that line?

Mr. CRANSTON. I don't understand your question precisely. It was a division established for the purpose of disseminating information through the press, radio, and in every conceivable way in regard to the war effort.

Mr. MITCHELL. Then you had specialists on various assignments; is that it?

Mr. CRANSTON. Yes. In certain languages we had individuals who would write or translate material in those languages.

Mr. MITCHELL. Who was your Polish-language man?

Mr. CRANSTON. In the beginning we had one person handling the Slavic field in general. His name was Paul Sturman. At some later time a man named Adam Kulikowski handled the Polish-language work on a part-time basis. He worked, as it was called, "WOC," without compensation.

Mr. MITCHELL. Then you had no individual of Polish descent or extraction in the OWI when you were there?

Mr. CRANSTON. Yes. We first had Mr. Sturman and then Mr. Kulikowski, who was of Polish extraction.

Mr. MITCHELL. When did he get there?

Mr. CRANSTON. I am not really certain of the precise date. I presume it was late in 1942 or early in 1943, possibly toward the middle of 1943. I am not sure of the date.

Mr. MACHROWICZ. Pardon me. May I ask along those lines whether you had in your employ a Mira Zlotowski?

Mr. CRANSTON. No, sir.

Mr. MACHROWICZ. For the record, she worked for the OWI. She was the wife of Prof. Ignatius Ludowski, who was the counselor of the Communist Polish Embassy in Washington.

Mr. CRANSTON. She did not work under my supervision at any time that I was in the OWI.

I might say that many times, in delving into the affairs of the OWI, there have been mix-ups between the Foreign Language Division, the Domestic Division, and the Overseas Branch, which had a Polish desk.

Mr. MACHROWICZ. The Polish desk of the OWI?

Mr. CRANSTON. She may have been there, but I do not know. But I had no supervisory control in any way over that branch.

Mr. MACHROWICZ. Did you have in your employ an Irene Balinska?

Mr. CRANSTON. No.

Mr. MACHROWICZ. She was the daughter of the first counselor of the Communist Polish Embassy in Washington.

Mr. CRANSTON. I never heard of her. She did not work for me.

Mr. MACHROWICZ. Did you have a Stefan Arski alias Arthur Salman?

Mr. CRANSTON. No, sir.

Mr. MACHROWICZ. He is now the editor in chief of a Communist newspaper in Poland, an anti-American newspaper.

Mr. CRANSTON. To my knowledge I never met him.

Mr. MACHROWICZ. All of these three people are former employees of the OWI.

Mr. CRANSTON. But not of the division in which I worked, sir.

Mr. MITCHELL. Can you explain to the committee why, with a population, I would say, of approximately 6,000,000 Polish people in

the United States, you did not have a full-time Polish employee in your division?

Mr. CRANSTON. It was primarily a matter of budget. We started off with somebody working on the Italian and German groups because they were, I think, the largest. They were groups derived from lands with which we were at war, and we felt that the problems there were particularly acute. We sought to add people for other groups when the budget permitted, but we were always under a pretty slim budget.

Mr. MITCHELL. What was the name of that Polish individual again whom you employed early in 1943?

Mr. CRANSTON. Adam Kulikowski.

Mr. MITCHELL. When the Katyn affair broke out on April 13, 1943, did you consult him about it?

Mr. CRANSTON. I don't recall what occurred in our branch or in our division in direct relationship to the Katyn massacre.

When I received your letter indicating that you wished me to testify, I wrote to him and to Sturman, who handled the Slavic languages and who helped on the Polish work. I have received no reply from Kulikowski. I have received a reply from Sturman indicating that a release was put out on this question and that he consulted Kulikowski on it.

Apparently Kulikowski was not there full time at that moment. That is all I remember about it.

Mr. MITCHELL. Do you know what was in the release?

Mr. CRANSTON. I do not have a copy of it. I do not remember it. He states that he believed that at that time it went along the general assumption that this was a Nazi propaganda trick, and he cited only one fact that he remembers: that it stated in the release that the bodies of the men had been shot in the nape of the neck in a manner typical of slaughters that were known to have been committed by the Nazis at various times.

Mr. MITCHELL. Who stated that?

Mr. CRANSTON. That was stated by Paul Sturman in the letter to me when I wrote to him asking him whether he recalled anything about this.

Mr. MITCHELL. Do you have that letter?

Mr. CRANSTON. I have it here.

Mr. MITCHELL. May I have it, please, because I have searched through history looking for one indication where the Nazis have used that method of the extermination of people, and I have even gone as far as the Army Historical Division to come up with an answer on that since last fall when I started on this investigation.

Mr. CRANSTON. He does not cite any instance of this. He simply states this.

Mr. MITCHELL. May I have that for the record, please?

Mr. CRANSTON. You may.

Mr. MITCHELL. Thank you.

Mr. DONDERO. Wasn't that also the Russian method of execution?

Mr. CRANSTON. Apparently it was.

Mr. MACHROWICZ. Do you know where Adam Kulikowski lives now?

Mr. CRANSTON. So far as I know, he lives in Chicago.

Mr. MACHROWICZ. Chicago, Ill.; that is correct.

Mr. CRANSTON. The last I knew, he was the editor of a trade magazine.

Mr. MACHROWICZ. Was the name of the magazine "Success"?

Mr. CRANSTON. No; "Opportunity."

Mr. MACHROWICZ. Do you know that he has a reputation among Americans of Polish descent in Chicago as a pro-Soviet sympathizer?

Mr. CRANSTON. I do not.

Mr. MITCHELL. I would like to put this letter on the record, if you don't mind, and then read it.

Mr. CRANSTON. Certainly.

Mr. MITCHELL. The letter is dated November 5, 1952. The letter is as follows:

WASHINGTON, D. C., November 5, 1952.

MR. ALAN CRANSTON,  
12370 Hilltop, Los Altos, Calif.

DEAR ALAN: I have but a hazy recollection of the facts concerning an OWI news release on the Katyn Forest massacre, but I do recall that a release was prepared by me in cooperation with Adam Kulikowski.

Our source at that time, I believe, was the News Digest published in England. The Nazis were charged with the crime as far as I can remember. The story gave some details how the Polish Army officers were all shot in the nape of the neck, a method practiced by Nazi executioners.

A copy of the release could be located in the Archives Building, or at least traced from there to its final depository, for upon completion of OWI activities the files of the Foreign Language Division, including copies of all releases, were packed, marked, and addressed for delivery to the National Archives Building.

Perhaps the Select Committee To Investigate the Katyn Forest Massacre is in possession of the release in question, or at least a published copy thereof.

While in Washington, should you find time available, visit us.

With best wishes,

PAUL STURMAN.

Now, when you were the head of this Foreign-Language Division, Domestic, did you have a staff of investigators under you?

Mr. CRANSTON. No; not a staff of investigators. We depended for whatever loyalty checks were made on people employed by the Division upon the OWI, which I believe worked with the Civil Service Commission and the FBI and the other normal agencies of investigation. We at some time had had an investigative unit in the OWI under the direction of some admiral, and his job was to check the loyalty of people who applied for employment with the OWI.

Mr. MITCHELL. That refers to individuals who were employed by the OWI?

Mr. CRANSTON. That is right.

Mr. MITCHELL. I am talking about individuals who might have been employed as investigators of the news content that was going out within the United States in connection with reactions and so forth. Did you have anybody investigating that?

Mr. CRANSTON. No; I don't believe we had anybody investigating that. In the Office of Facts and Figures, and I guess in the OWI, there was a bureau called the Bureau of Intelligence. I have forgotten who directed that, but it was charged with the task of checking on the reception and use of releases put out by the OWI and also on the general content of American newspapers and what was going on in the radio stations both in the English language and in foreign languages.

Mr. MITCHELL. Are you familiar with Mr. James D. Secrest?

Mr. CRANSTON. I don't recall the name.

Mr. MITCHELL. Or a Robert LaBlond?

Mr. CRANSTON. No, sir.

**Mr. MITCHELL.** We have heard testimony this week that you were instrumental or took the initiative in setting up a meeting in New York on May 12 or 13, 1943, with Mrs. Shea of the Federal Communications Commission, Joseph Lang, and Arthur Simon. Now, can you tell the committee the details and the various processes—

**Mr. MACHROWICZ.** You might state that Joseph Lang and Arthur Simon were members of the Wartime Foreign-Language Radio Control Committee.

**Mr. CRANSTON.** Would you permit me to go back a bit over the nature of the problem that we faced?

**Mr. MITCHELL.** Surely.

**Mr. CRANSTON.** In foreign-language radio and in the foreign-language press, before the beginning of the war and thereafter when I had some responsibilities in regard to them, there was a great deal of propaganda going on which seemed to serve the purposes of the Nazis and the Fascists and our enemies, much of which seemed to be designed to diminish the loyalties of people of foreign extraction to this country and to the war effort. Much of this was very subtle and very hard to put your finger on and very hard to develop as a point of attack requiring action by the Department of Justice. I would like to give a couple of examples.

At one time a German-language radio broadcast to New York City contained an announcement that Rommel had driven the British and I think the Americans back 50 miles and was advancing on Alamein. The news broadcast was abruptly stopped and they played the victory march from Aida, which seems to have been a form of rather subtle propaganda.

At another time a speech of President Roosevelt, the Commander in Chief, was quoted in an Italian-language broadcast. It was a speech calling for Americans to throw everything they had into the war effort. At the conclusion of the recounting of this speech on this news broadcast, again there was some music. This time it was "I Will Be Glad When You Are Dead, You Rascal."

These are not things you can nail down, but they are symptomatic of the methods of people in the foreign-language radio and press.

When the Treasury Department announcements were made urging people to buy war bonds, at one time they were told on one station, following that announcement, that it would be wiser to put their money into diamonds because they were sure to be worth something after the war, implying that war bonds might not be. I think the purpose of that was to persuade people not to invest their money in war bonds, although they were required to broadcast the requests that these people buy war bonds.

I would like to now quote from a book by Louis Lochner. This is a quotation which states how foreign-language groups in this country were the subject of intense interest by our enemies in the war. He refers there to a quotation from a secret press release issued in 1940 in Goebbels' office. The quotation is as follows:

November 24—

Chairman MADDEN. What year?

**Mr. CRANSTON.** 1940. [Reading:]

November 24: Slovakia's adhesion to the Three Powers Pact must be evaluated on the basis of the number of Slovaks living in America and not on the

basis of Slovakia's might or economic strength. Under no circumstances may reference be made to the connection which our Ausland organizations maintained with certain Slovak societies in America.

Mr. MACHROWICZ. Do you have, Mr. Cranston, any quotations showing the extent of the pro-Communist foreign-nationality groups in this country?

Mr. CRANSTON. I don't, but I will make a reference to that at a later point, if I may.

I have a photostat of something that appeared in the Washington Star. I regret that the date is not clear on this. The headline is "FCC Probes Report of Tips to Nazi Submarines in Radio Programs."

At one point during the war there was some fear on the part of the FCC and the OWI and the Department of Justice that German-language broadcasts in New York City were being used by code messages to signal to Nazi submarines as to when ships were departing. You will remember that there was a time when, with mystifying success, the Nazi submarines seemed to know the departures of ships from New York Harbor, and many were sunk.

Mr. MITCHELL. But that was the duty of the Office of Censorship; was it not?

Mr. CRANSTON. It was no doubt the duty of the Office of Censorship when it entered this field. At this time, when this happened, there seemed to be nobody fully responsible. We had received information that this might be going on in the German-language radio in New York City. We called it to the attention of the Department of Justice, to the FBI, and I believe to the Office of Censorship, but we were merely passing on information that seemed to us highly pertinent to the war effort.

I would like to read a quotation from a Polish-language newspaper, Nowy Swiat, of March 21, 1942. This is the largest Polish-language daily in the United States. This is a quotation symptomatic of the divisive nature of many things that appeared in the foreign-language press which might tend to diminish the desire of those who read them in their own tongues to go along with the war effort. The quotation is as follows:

One must not tell the Poles, French, Turks, Letts, Lithuanians, Hungarians, Serbs "fight," because when Hitler is conquered with your help you will be given over to the "benevolent" care of Stalin.

I would like to add that the principal writer on that newspaper, although at that time it was a newspaper designed to be read by American citizens, was a man named Matuzewski, who was required to register as a foreign agent by the Department of Justice.

Mr. O'KONSKI. No matter what he was, he spoke the truth; didn't he? That is actually what happened; did it not?

Mr. CRANSTON. It was true in the case of the Poles.

Mr. O'KONSKI. It was true in the case of the Latvians, the Estonians, the Bulgars, the Rumanians, and the Serbs.

Mr. CRANSTON. It is not true in the case of the French. They fought and they won liberation.

Mr. O'KONSKI. They had plans for the French, you know.

Mr. CRANSTON. I assume they did, and I assume they had plans for us; but the tenor of this was not to fight the Nazis. That was the implication of that release.



**Mr. SHEEHAN.** Mr. Cranston, I think we have had enough of the background. First of all, I assume our committee counsel has informed you why we have asked you to come here in connection with the Katyn Massacre?

**Mr. CRANSTON.** In general terms; yes.

**Mr. SHEEHAN.** Just so there will be no question about it, there was censorship or what we feel was censorship of certain foreign-language broadcasts in America in the Polish language about Katyn, as we understand it; and what we are trying to determine is what particular position you or your office had in that censorship program. So, therefore, you know how you are connected with the Katyn massacre. Are you familiar with Hilda Shea's testimony this week?

**Mr. CRANSTON.** In the vaguest sense. I have not seen it. I read a brief extract in the newspapers.

**Mr. SHEEHAN.** Have you talked to her?

**Mr. CRANSTON.** No; I sought to reach her this morning, and I failed to. I asked the committee whether it was possible to read the transcript of yesterday's testimony, but it was not available.

**Mr. MITCHELL.** It wasn't available to me here either until I walked in here today.

**Mr. SHEEHAN.** According to our information—and we had Mrs. Hilda Shea on the stand—a meeting was called in New York, as the counsel told you, with reference to talking to these industry members and talking to radio-station operators with a view toward silencing them on their broadcasts about the Katyn Forest massacre. According to our records, Mrs. Shea said that you called that meeting. Are you familiar with it?

**Mr. CRANSTON.** I don't recall the meeting. If she says I called it, I assume I did.

**Mr. SHEEHAN.** Mrs. Shea then went on in her testimony, according to my memory, to state that you had asked her or the Federal Communications Commission into this meeting. Have you any recollection of that?

**Mr. CRANSTON.** I assume that that is correct, because we were working with the FCC and with Censorship and with the Department of Justice on these matters, and if I initiated a meeting I assume I wanted them in on it.

**Mr. SHEEHAN.** Mrs. Shea further went on to state that she told you that the FCC had no business at a meeting of that kind for the simple reason that they had no powers of censorship or telling anybody what to broadcast, but she still went along and said that she sat there pretty much as a silent participant.

**Mr. CRANSTON.** I do recall some occasion—and perhaps this was the occasion—when the FCC stated that they would only attend a meeting as an observer. That would tend to corroborate her testimony.

**Mr. SHEEHAN.** If she couldn't do anything, why did you ask her to appear as an observer?

**Mr. CRANSTON.** I assume because they were interested in the general field of foreign-language radio and had responsibilities in it. I felt it would be helpful to have a witness from that organization at this meeting. I assume that was my reasoning.

Mr. MACHROWICZ. Do you feel it was possible to exert a little more pressure on some of these people who were present in that way?

Mr. CRANSTON. I don't believe that is the reason; and if it was the reason and she didn't talk, she couldn't have exerted a pressure.

Mr. MITCHELL. Who advised you to go ahead and set up this meeting?

Mr. CRANSTON. I don't know since I don't recall the meeting.

Mr. MITCHELL. Mrs. Shea has already admitted that she was the one who told you how to go about it, but at the same time advised you that the FCC could not participate.

Mr. DONDERO. I have just one question there. Was that the occasion when the FCC had limited the licenses of broadcasting stations to 30 days?

Mr. CRANSTON. I have no knowledge of that, sir. I don't believe that that was the case, but I do not know.

Mr. SHEEHAN. When you called this meeting, assuming that you called it—and you say that you think you did—who set the particular policy of determining that you were going to stop these broadcasts? Were you in charge in setting the policy of the Department?

Mr. CRANSTON. Would you permit me to retrace my steps a little bit in this field? I will come back to that point as fast as I can.

I want to go back to a meeting of the foreign-language stations. This was the industry itself meeting in 1942 at a convention of the National Association of Broadcasters, who met in Cleveland. There they admitted that they had very perplexing problems and troubles in this field.

There was one New York station manager who told of a foreign-language announcer on his station who had broadcast a farewell to a ship about to leave New York Harbor, clearly violating the censorship rules. He said that he had fired the announcer and that that announcer was immediately hired by a rival New York station.

It was revealed at that meeting that the managers of the stations had no monitoring system, that they had no idea what was being broadcast on their own stations in the language of the enemy country.

Mr. MACHROWICZ. That is all very interesting, but I think we ought to get back to the question of Mr. Sheehan. I don't think we have sufficient time to go into matters that have no relation to this particular matter. We are interested in this particular complaint against certain stations.

Mr. CRANSTON. Well, sir, on this point, the industry was reluctant to do policing of its own or to set up a committee because they were afraid apparently that station operators would perhaps get rid of good announcers. They actually asked the Foreign-Language Division of the OWI whether we would serve as liaison from the Government to the industry on matters regarding personnel on foreign-language broadcasts. I would like to read a quotation.

This is a letter from Arthur Simon, who I understand testified here and who was president of the industry committee. I don't have the date, but he said the following in his letter:

For our protection, it is tremendously important that such persons are not hired by other stations—

meaning people fired for possible subversive activity.

We have asked Lee Falk of the OWI—

who was in my division—

if his office would be willing to help us on this matter. He has agreed to give us whatever advice he has available. Therefore, we respectfully suggest that you contact Lee Falk, Chief of Radio of the Foreign-Language Division of the OWI in Washington, before engaging anyone connected with the preparation or presentation of foreign-language programs. He will give you a prompt answer as to whether the person or persons you have in mind for employment have a clean bill of health as far as his information can determine.

Now, at their request we then sought information from the Department of Justice or the FBI on individuals when they had some doubt and asked us. We did not divulge the nature of the information. We would tell the industry whether it would be in their best interests and in the country's best interests to employ a man or not to employ him.

That was done at their request. We were not imposing anything on the industry.

Now, to get to the matter that you were directly concerned with, on May 1, 1943, the OWI field office in Detroit reported that these Polish-language commentators were dividing the heavy Polish population in this vital war-production center. The only example cited—and this will get back to the question you asked me awhile ago, sir—by the OWI field office was that of an extremely pro-Russian commentator who was feeding his listeners a strictly Russian line.

Now, apparently, there were polemics going on in the Polish radio stations in New York among people broadcasting in Polish, some taking a strictly pro-Russian line, some taking a strictly anti-Russian and pro-Polish line. I assume that because of the date of this memorandum from Detroit this revolved around the Katyn affair, although I do not know that to be the case.

Mr. MACHROWICZ. Was this gentleman's name Stanley Novak, if you remember?

Mr. CRANSTON. I have no idea whether he was an employee of the OWI who was under my supervision.

Mr. MACHROWICZ. I mean this announcer.

Mr. CRANSTON. I don't know.

Mr. SHEEHAN. Then this matter came to your attention through the industry, as you say?

Mr. CRANSTON. No—

Mr. MITCHELL. Did you say that Novak was an employee at the OWI?

Mr. CRANSTON. No; I did not. I don't know who Novak was.

The field office in Detroit of the OWI reported to the office here in Washington that there were problems arising out of the Polish-language broadcasts.

Mr. SHEEHAN. That was brought to your attention then?

Mr. CRANSTON. That was brought to our attention in that fashion.

Mr. SHEEHAN. Who referred it to you?

Mr. CRANSTON. This came in to what, I think, was called the field division of the OWI. It was not something under my Division. But then this particular report was referred to me because it related to foreign-language broadcasts.

Mr. SHEEHAN. Did you discuss with anybody else as to policy, or was the policy already set?

Mr. CRANSTON. The policy was pretty well set that we were against polemics going on which related or which would tend to diminish interest in the American war effort and divide people along nationality lines in this country.

Mr. SHEEHAN. Who was your immediate superior in the OWI?

Mr. CRANSTON. I do not recall precisely who it was at that time. The associate director with whom I worked was Milton Eisenhower, the brother of General Eisenhower. Elmer Davis was the Chief of the Division.

Mr. SHEEHAN. Now, getting back to Hilda Shea for a while, was this a routine inquiry you made of the FCC for somebody to accompany you?

Mr. CRANSTON. Yes; I think it was. I assume that it was. I do not recall.

Mr. SHEEHAN. Did you know Hilda Shea very well?

Mr. CRANSTON. Not particularly well. I knew three or four people there who worked in a field related to our activities.

Mr. SHEEHAN. She was just a casual governmental acquaintance?

Mr. CRANSTON. Yes.

Mr. SHEEHAN. Mr. Cranston, one of the things we are interested in—of course, from our angle, we agree that on a lot of this we have seen the horses stolen out of the barn and the barn has been opened—we are trying to go back because in our committee hearings we find a lot of people who are involved in Communist or pro-Russian sympathies.

Some of the questions that have come to our mind are concerned with the fact that in the OWI there have been quite a few Communists turned up in this particular Division who were helping to shape our policy and our censorship.

Mr. CRANSTON. May I stress, sir, that insofar as I know—and I want to differentiate between the Overseas Branch of the OWI which had people of foreign extraction in it, and my own Division—I don't know of anyone who has been branded a Communist who worked in my Division, but there were some in the Overseas Branch who apparently were discharged as Communists.

Mr. MACHROWICZ. Mr. Kulikowski was in your Division?

Mr. CRANSTON. He was. I do not know, sir, that he has ever officially or unofficially been branded a Communist.

Mr. MACHROWICZ. That is his general reputation in the city of Chicago.

Mr. MITCHELL. Who was David Carr?

Mr. CRANSTON. He worked in my Division.

**Mr. SHEEHAN.** If you will refer to the House Appropriation Committee hearings in July 1943, you will see the following quotation in one of their reports:

Policies have been practiced by the OWI, particularly in the Foreign Section, which have tended to further the interests of Soviet foreign diplomacy.

Now, that comes from the House of Representatives and a report of that body.

What we are trying to find out is whether censorship was going on to promote Soviet foreign diplomacy, and to hold down some of our allies. That is why we are interested in it from the Katyn angle.

**Mr. CRANSTON.** I say that I had heard of this report of the House Appropriations Committee sometime ago that I instituted a search to drag it down and I did not find that specific report or any other. But I do not believe that that language refers to the Foreign Language Division of the OWI by name. I believe that it refers to the Foreign Section, which, I believe, meant the Overseas Branch. I believe also that if you will examine that in the context of the hearings at that time you will find that it did not relate to the Division which I headed.

That is my assumption—I have not seen it, but I am quite sure that that is the case.

**Mr. SHEEHAN.** For instance, we find that there was an Italian Communist by the name of Carlotta—

**Mr. CRANSTON.** That would tend to substantiate my contention. He did not work in my Division. He was in the Overseas Branch.

**Mr. SHEEHAN.** You did not know him when he worked there?

**Mr. CRANSTON.** No.

**Mr. SHEEHAN.** You did not know him at all?

**Mr. CRANSTON.** No; I did not.

**Mr. SHEEHAN.** In other words, you feel that the only people you had control of were those who were directly in your own particular Division?

**Mr. CRANSTON.** I certainly had no responsibility over those employed by a totally different branch, and whose offices were in New York City.

**Mr. SHEEHAN.** Counsel just mentioned to you the name of David Carr. It has been brought to our attention—and this may be misinformation—that he was recommended by you for his position. Now, his position was that of Assistant Chief of the Foreign Language Division.

**Mr. CRANSTON.** That is correct. He was in my Division.

**Mr. SHEEHAN.** How long did you know him?

**Mr. CRANSTON.** I knew him fairly well. I knew him before he became employed there.

**Mr. SHEEHAN.** Did you recommend him yourself?

**Mr. CRANSTON.** Yes; I did.

**Mr. MITCHELL.** Is that his real name?

**Mr. CRANSTON.** It is his real name now. I believe that his name was originally something else.

**Mr. MITCHELL.** What was his name before?

**Mr. CRANSTON.** I believe it was David Katz.

**Mr. MITCHELL.** Would you spell that? K-a-t-z?

**Mr. CRANSTON.** I don't know.

Mr. O'KONSKI. Did he change his name when he started to work with you?

Mr. CRANSTON. No; I never knew him under that name. I always knew him as David Carr.

Mr. SHEEHAN. Did you know when you hired him that he was a member of the Communist Party?

Mr. CRANSTON. No, sir. I did not know that he was or is a Communist.

Mr. SHEEHAN. It is our understanding that he was a card-carrying Communist. That bears further investigation, but that is the information given to us.

Mr. CRANSTON. I would like to repeat again that I relied upon loyalty checks and for clearances of employees, upon the FBI, the Civil Service Commission, and the agency which checked people before they were employed. As to others who went to work in my Division, there were long delays while they were being investigated as a routine matter, by those who were charged with that responsibility. When they approved somebody, I assumed they had been approved in accordance with their practices.

Mr. MITCHELL. Where was he employed before you hired him?

Mr. CRANSTON. I believe that he worked for a press association here; I do not recall which one it was.

Mr. MITCHELL. Do you know that he also was a part-time reporter for the Daily Worker?

Mr. CRANSTON. I knew that at the age of 17 he had written two signed articles for the Daily Worker. He had told me that he was not a Communist; that he was just a "kid" who was Jewish, who was violently aroused over the Nazi activities, and felt that the Communists were more aware of them than others at that time, and that he, therefore, wrote these two articles at the tender age of 17. He denied that he had ever been a Communist. I have no knowledge that he ever was one. He told me that after doing that at the age of 17, he had decided that that was not the soundest approach, that he did not sympathize with the Communist viewpoint, that he was a loyal American.

Mr. SHEEHAN. Do you remember when it was that you recommended that he be hired, the specific date?

Mr. CRANSTON. I don't know the specific date. I would think it was between January and March of 1942.

Mr. SHEEHAN. How long a lag was there after you recommended him before he came into your Department?

Mr. CRANSTON. At least several weeks, I would assume. I know there was some lag. He was recommended for his position by the people that he named on his application, amongst whom were several high officials of the American Government who knew him and who apparently assumed that he was O. K.

Mr. SHEEHAN. I understand that you have taken quite a bit of interest in the support of Mr. Harry Bridges; is that right?

Mr. CRANSTON. That is absolutely wrong. I would like to explain the reason for the misunderstanding at this time. I am glad to have the opportunity to do that.

Mr. SHEEHAN. Our committee would like to know.

Mr. CRANSTON. Yes.

At the time that I worked for the organization called the Common Council for American Unity, I was charged with writing a report about once a month on legislation pending in Congress relating to aliens, relating to naturalization and immigration problems.

At one time a bill was pending in the American Congress—a private bill, for the deportation of Harry Bridges. I mentioned this fact in an article in which I was summarizing all legislation then pending. I mentioned that the then Attorney General, now Mr. Justice Jackson, stated that in his belief, this was unconstitutional. I did not state my own opinion. I was simply doing a reporting job. I never at any time favored or opposed that bill. I had nothing to do with it. I never had any relationship to Harry Bridges. It was simply a matter of doing a newspaper job, a reporting job, in this case. I have absolutely no other connection with Harry Bridges. I have never met him.

Mr. SHEEHAN. Some of the committee members have informed us that you were pretty well acquainted with Louis Adamic. Is that right?

Mr. CRANSTON. He was a director of Common Council for American Unity or was on the board before I became employed there. I came to know him after I was employed by Common Council for American Unity. Incidentally, it is my assumption that he was murdered by the Communists.

Mr. SHEEHAN. Did you know him very well?

Mr. CRANSTON. Fairly well—not intimately.

Mr. SHEEHAN. Did you ever visit with him?

Mr. CRANSTON. I never visited him at his home. I believe that once he visited me in Washington at my apartment and had dinner, or dropped by and met my wife and myself. The occasion when he did that, I recall, was when he was on his way to or returning from the White House, where he had had dinner with President Roosevelt and Prime Minister Churchill. So far as I know, that is the only time he ever visited my apartment.

Mr. O'KONSKI. This organization which Louis Adamic headed, was that one of the list of those organizations declared subversive by the Department of Justice?

Mr. CRANSTON. No; it has never been. I would like to repeat that it worked for the Justice Department on a contractual basis. It has never been questioned as to loyalty. It is financed by such responsible foundations as the Carnegie Foundation, the Russell Sage Foundation, and other such organizations.

Mr. SHEEHAN. In other words, your whole testimony here tends to show that your connections with Katyn were only coincidental with that letter or request that arrived for the hearing in Detroit. Is that the situation?

Mr. CRANSTON. Yes, sir.

Mr. SHEEHAN. And you only originated the meeting because of the request?

Mr. CRANSTON. We originated the meeting because of the complaint that came from the field office of the OWI to the headquarters here in Washington. It was then referred to me for consideration and action, if I felt action was necessary.

Mr. SHEEHAN. You acted on it yourself?



Mr. CRANSTON. Yes. I would like to say that this is after it had become agreed upon by Government agencies that the primary responsibility was not that of OWI to deal affirmatively with these things, that Censorship had now a greater role in it, and also it was after the industry itself had asked us for help in these problems. It was then that we merely suggested to the industry committee that it consider this problem.

I would like to say, also, that the committee itself, or the radio people in the industry, determined what to do about this, and they took action on it.

I would like to mention one further point that I think would substantiate that.

In an article that appeared in the Radio Daily, a trade magazine in the radio field, on July 16, 1943, Joseph Lang and Arthur Simon collaborated in describing this situation in Detroit that arose out of the polemics between Poles of pro-Russian and anti-Polish and Poles of anti-Russian and pro-Polish attitudes.

They described this as an acute predicament and a threat to the productivity of American Poles and the war effort in Detroit.

Mr. MACHROWICZ. Was that after the meeting with you?

Mr. CRANSTON. This appeared after the meeting; yes. I would like to add one point, and that is that Mr. Lang and Mr. Simon in this article which they jointly signed, stated that the action of the industry committee on this matter was an excellent example of the industry's ability to regulate itself.

Mr. SHEEHAN. May I say in passing that, as I understood, when you read that letter asking for help, they specifically stated in there that the problem was to help to keep those who were being fired from one station from being hired by others; is that right?

Mr. CRANSTON. That was the reason they were reluctant to do it themselves. They were afraid to set up an industry committee.

Mr. SHEEHAN. Was it possible that, with your pressure and the pressure of the FCC, when you fellows said that someone was doing a job that was wrong, they had to fire those people, and now they were writing to you for help because they didn't want any other station to hire them?

Mr. CRANSTON. That was part of the problem, apparently.

Mr. SHEEHAN. In other words, your meeting them was only to protect the stations who had already had to fire people?

Mr. CRANSTON. Or who were reluctant to deal with the problem without the guidance of the Government.

Mr. SHEEHAN. The letter doesn't say that they were worrying about somebody hiring people who were fired? Read the paragraph about the firing.

Mr. CRANSTON. The only quotation I have from Mr. Simon's letter is as follows:

For our own protection, it is extremely important that such persons are not hired by other stations.

Mr. SHEEHAN. In other words, the only reason the meeting was called was because they had already fired someone and you were trying to get protection for these people?

Mr. CRANSTON. Prior to Pearl Harbor there had been discussions of the instability and of the dangers of the material going out on the air, and at a meeting in May 1942 of the National Association of

**Broadcasters, some military spokesman—I don't know who he was—was present, and warned them that unless this situation rapidly improved, Government action would be necessary.**

**I believe that these men, with heavy investments in foreign language radio stations were afraid that they would be summarily taken off the air and not permitted to broadcast in German and in Italian.**

**Mr. SHEEHAN. You are voicing an opinion now?**

**Mr. CRANSTON. Yes, but I am positive of that. I could produce facts, I am sure.**

**Mr. MITCHELL. Who would remove them?**

**Mr. CRANSTON. They were afraid that their industry would be jeopardized unless it was properly organized to prevent Axis propaganda from going out on the air.**

**Mr. MITCHELL. But who would have removed them from the air?**

**Mr. CRANSTON. A military spokesman at this meeting in May—and I do not know who he was or what Department of the Army he represented—warned them—and I believe that this is recounted in either Variety or Broadcasters—that if they didn't improve the situation they might well be removed from the air. I assume that who would finally order them from the air would be either the Department of Defense in the interests of the war effort or the Federal Communications Commission or the Department of Justice.**

**Mr. SHEEHAN. The FCC with the 30-day cancellation clause.**

**Mr. MITCHELL. Actually, none of them would have. It was the duty and the obligation of the Office of Censorship, and that only on one basis, Mr. Cranston—if they would come up with something that would break the code.**

**Mr. SHEEHAN. There was no censorship of anything within this country, was there?**

**Mr. CRANSTON. The Bureau of Censorship, or whatever it was called, was interested in this, and part of the industry code said that no person shall be employed whose past record indicates he may not faithfully continue with the war effort. That was, however, a code of the industry itself.**

**I would like to read you one quotation from Variety, if I may.**

**Mr. MITCHELL. No; that is not necessary. I would like to know right now whether, when you set up this meeting with Simon and Lang in New York, you asked for the Office of Censorship to be represented?**

**Mr. CRANSTON. I don't know.**

**Mr. MITCHELL. Why didn't you?**

**Mr. CRANSTON. I simply don't recall whether I did or not. It is quite possible that I did, and possibly I didn't. I don't know.**

**Mr. SHEEHAN. I have one more question, Mr. Cranston. This is a little apart from the Katyn investigation, although it may bear on it indirectly.**

**What is your position with United World Federalists?**

**Mr. CRANSTON. I am an ex-president of that organization. I am now a member of the national executive council.**

**Mr. SHEEHAN. And you are still very active in it?**

**Mr. CRANSTON. Yes.**

**Mr. SHEEHAN. I want to make just this offhand remark. World-wide communism eventually envisions a united world under Communist domination?**

**Mr. CRANSTON. I assume it does.**

Mr. SHEEHAN. If you have read anything on the philosophy of communism, you know that it does.

Mr. CRANSTON. Yes.

Mr. SHEEHAN. The United World Federalists are attempting a similar aim eventually, aren't they?

Mr. CRANSTON. For a totally different purpose, not a dictatorship, not a Communist one. It is one based upon democracy.

I would like to state that the United World Federalists has in its bylaws a provision against membership by anyone of Communist beliefs, in the organization. We are non-Communists. We have never been attacked by any Government agency as Communist, and there are many Members of Congress who know well of our organization, who think well of it, who work with the leadership of the organization, people of both parties.

Mr. SHEEHAN. In other words, your ultimate aim and that of communism are the same, except that they want to lead the world.

Mr. CRANSTON. I would certainly not agree with you that our aims are those of the Communists. They want a Communist world; we want a democratic world.

Mr. MACHROWICZ. I would like to come back to that New York meeting with Mr. Lang and Mr. Simon. Now, you say that prior to that you had received one complaint from Detroit and that was about a Communist commentator?

Mr. CRANSTON. Yes. I don't have the full text of that complaint. but it stated that there was a controversy raging between different commentators. The only one it cited was a pro-Communist one. I assume that that meant that he was arguing with people about the others' viewpoint.

Mr. MACHROWICZ. Being very familiar with that situation, I can tell you that his name was Stanley Novak.

Mr. CRANSTON. Was he making Communist propaganda?

Mr. MACHROWICZ. Stanley Kovak was accused of Communist propaganda. Now, did you mention his name at the time of the meeting in New York?

Mr. CRANSTON. I don't believe that I knew his name. I suppose that if the meeting was held at this time and came out of this report—and it is my assumption that we called it to the attention of Lang, Simon, and whoever else was there—that people were going to extremes on both sides of the fence, that is, that pro-Communists were attacking in an extremely divisive way, and that anti-Communists were doing likewise.

Mr. SHEEHAN. My question, then, is this: Since your only complaint from Detroit was about a Communist, how did it happen that at the New York meeting the only complaint was about those who made comments which were anti-Communist?

Mr. CRANSTON. I just said, sir, that so far as I know—and I do not recall this specific meeting—if the meeting came out of this May 1 report—and I assume that it did—I am positive that we presented at that meeting the fact that there were two sources of trouble in Detroit, one being this extreme pro-Communist announcer, the other being whatever other announcers there were, who were being rather extreme about the Katyn massacre on the other side.

**Mr. MACHROWICZ.** May I quote from the House committee hearings of 1943? You undoubtedly have read this:

**Mr. GAREY.** Will you tell us what was said at that meeting and by whom?

**Mr. LANG.** Both Mr. Cranston and Mrs. Shea were concerned with the situation that had been developing between Russia and Poland in regard to the matter of boundaries and the fact that Poland, I believe through its Premier, its Government in exile in London, had protested to Russia about the slaying of these 10,000 Polish officers in Russia, and they were concerned as to how the situation would be handled on different radio stations.

**Mr. GAREY.** What did Mr. Cranston want you to do?

**Mr. LANG.** He asked us—when I say “us,” I mean the foreign-language radio wartime control—if we could straighten out the situation in Detroit.

**Mr. GAREY.** What situation obtained there?

**Mr. LANG.** From what I could gather, it seemed that on the Polish programs out there the Polish news commentators had taken a rather antagonistic attitude toward Russia in this matter, and they felt that it was inimical to the war effort and should be straightened out in some way.

**Mr. GAREY.** And they wanted to know what you could do about getting the program content on those Detroit stations to conform to their views on what should be put over the air in the United States about the Russian situation? That is the sum and substance of what Cranston was trying to get you to do?

**Mr. LANG.** I don't know that it was expressed that way. That was the thought.

Now, in view of the fact that the only complaint you had was about a Communist commentator in Detroit, why did you pay so much attention to these commentators who were anti-Communists?

**Mr. CRANSTON.** Sir, the only incident cited in this report from Detroit of May 1, which came to us, referred to a pro-Communist announcer, whom you now tell me was Novak. However, it indicated that there were violent arguments on both sides going on. In that context, we stated this problem to the people at this meeting in New York, because I am quite positive that we would not have singled out the pro-Communist. If we presented this side, we would have presented both sides, and would have told them to calm down.

**Mr. MACHROWICZ.** As a result of this conference, Mr. Kreutz, who was the anti-Communist commentator, was taken off the air and Mr. Novak, against whom you obtained the complaint, and who was the Communist, remained on the air.

**Mr. CRANSTON.** I would attribute that to laxity on the part of the industry. We made a recommendation; we were not able to enforce it.

**Mr. MACHROWICZ.** In my opinion, it was due to the pressure you brought to bear, and pressure brought to bear by others.

**Mr. CRANSTON.** I would like, if I may, to have the privilege of placing all of this in the context of the situation that prevailed in this country at high Government levels in regard to the Nazi announcement in regard to Katyn.

It was apparent that Anthony Eden, the British Foreign Secretary, President Roosevelt, and Sumner Welles, all felt that the disclosures were presumably a Nazi trick. They seemed to assume that the thing was done by the Nazis. They certainly assumed and felt that a wild ruckus about this in the American press, and particularly among the foreign-born in this country, would not be conducive to the best interests of the war effort.

As you heard in testimony from Mr. Elmer Davis 2 days ago, he made a broadcast assuming that this was simply a Nazi trick.

We were not making policy; we were just going along in my division with what seemed to be American policy at that time.

Mr. MACHROWICZ. But you tried to do something that you had no right to do. You tried to censor others who were telling the truth.

Mr. CRANSTON. We only made a recommendation at the request of the industry that had asked for our recommendation, and we acted upon a disclosure, a report which came from Detroit.

Mr. MACHROWICZ. But you did succeed in getting off the air those people who actually, as we know today, were telling the truth. That was the net result of your work.

Mr. CRANSTON. The truth was known by very few people at that time, and I had no access to such, which does indicate conclusively, it seems to me, that the massacre was conducted by the Communists.

Mr. SHEEHAN. Where did you get the information that Mr. Anthony Eden, President Roosevelt, and Mr. Sumner Welles believed that the Nazis were guilty?

Mr. CRANSTON. Perhaps I stated that carelessly, but I would like to read to you a quote from Defeat and Victory, by John Chekanowski, who was the Polish Ambassador to this country. This appears at page 159.

Mr. SHEEHAN. Excuse me for a moment. You said that as of that time, when this was being held in New York, Sumner Welles, President Roosevelt, and Anthony Eden felt that the Nazis did this. This book was written long after that.

Mr. CRANSTON. Let me correct my statement. I said that carelessly. They felt that that was Nazi propaganda, a Nazi propaganda trick.

Mr. SHEEHAN. You didn't know at that time, in 1943, when this meeting was being held, that that was their belief?

Mr. CRANSTON. I did know that my chief, Mr. Elmer Davis, had made a broadcast.

Mr. SHEEHAN. Would you like to correct the record to have it show that in 1943 you did or did not know that Sumner Welles and President Roosevelt knew the Nazis did it?

Mr. CRANSTON. I did not know what Sumner Welles and President Roosevelt knew or felt at that time. I did know that my boss, Elmer Davis, made a broadcast, calling this a Nazi trick. I read in the New York Times that he had requested the Poles to stop making provocations over this incident.

Mr. O'KONSKI. Mr. Cranston, am I right in assuming this: That the standard under which your office operated was virtually this: Anything that was said against the Russians was the same as saying something against the war effort? Was that more or less the standard under which you were operating?

Mr. CRANSTON. No; I don't think that is a fair statement. We were opposed to statements against any one of the United Nations which would tend to diminish the desire of the people of American citizenship, regardless of what their extraction was, to go along with the war effort, and if things became divisive, we felt that they had become harmful.

Mr. O'KONSKI. That is rather begging the question, because, to my knowledge, there was no criticism of any other ally ever. The only criticism that ever was expressed—and which criticism was doubted by people who turned out to be right—while you people turned out to be 1,000 percent wrong, as history now bears out—the

fact of the matter is that the only antially talk that we ever had during the war was against Russia. So when you say "any other country" that really does not mean anything.

Mr. CRANSTON. No, sir; there was a great deal of propaganda against the British. There was violent Polish propaganda against the British, feeling that they were doing things that were a disservice to the Polish cause. There were violent attacks upon Chiang Kai-shek, who was an ally of ours, at that time. There were many attacks upon him.

Mr. O'KONSKI. But your organization did not discourage any attacks against Chiang Kai-shek?

Mr. CRANSTON. We sought to discourage attacks against any of our allies where we felt they were harmful.

Mr. O'KONSKI. I am glad to hear that, because this is the first time that I have heard of a Government agency which at that time discouraged any attacks against Chiang Kai-shek. As a matter of fact, I think history will bear out the fact that he was more or less discouraged by the same group that tried to protect Russia at every turn of the road.

Mr. CRANSTON. There was a man named Bradford Smith, who was in my division, in charge of the work with the Japanese and Chinese press in this country. He was a staunch supporter of the Chiang Kai-shek government. He was an intimate friend of Walter Judd, who I am sure you know, in the Congress, and he would have taken the position in any issue that arose that necessitated it that attacks upon Chiang Kai-shek were harmful to the American war effort.

Mr. O'KONSKI. Further to bear out my point, and further to show what happened: After the investigation into the Detroit situation, the anti-Communists were taken off the air and the pro-Communists were left on the air. That is what actually happened in Detroit, after your intercession on behalf of the OWI, and getting the FCC in on it. That is actually what happened.

You were called in there to investigate a complaint of pro-Communist broadcasts. After you had gotten out there, and your investigation had been carried out, it was found that it had been conducted in such a way that the pro-Communists were left on the air and the anti-Communists were taken off the air. Did you know that happened?

Mr. CRANSTON. I had not known that until having been told that by the committee today, but I would repeat, that we undoubtedly called to the attention of the industry the fact that there were pro-Communists and anti-Communists making trouble in Detroit. We had no authority over what action they might choose to take. And if they chose only to fire the anti-Communists, that is their responsibility, and not mine.

Mr. MACHROWICZ. They told us differently. They told us that you ordered them to conform to your views, and that you made no complaints against the Communists, but rather, only against Mr. Kreutz.

Mr. CRANSTON. Do you have specific testimony from Mr. Lang to that effect?

Mr. MACHROWICZ. Yes.

Mr. MITCHELL. Mr. Chairman, at this point I would like to call for a recess, and ask that Mr. Cranston stand by until tomorrow.

Mr. O'KONSKI. I suggest we reconvene at 2 o'clock.

Mr. MACHROWICZ. That is satisfactory to me. Do you want to have Mr. Cranston resume the stand at 2 o'clock?

Mr. MITCHELL. No; I would like to have him stand by, and we will call him later. We have a full schedule for this afternoon.

Mr. MACHROWICZ. The hearings will be recessed until 2 p. m.

(Whereupon, at 1 p. m. the committee recessed until 2 p. m. of the same day.)

#### AFTERNOON SESSION

The hearing reconvened at 2 p. m., upon the expiration of the recess. Chairman MADDEN. Will the committee come to order, please?

#### TESTIMONY OF GEORGE HOWARD EARLE, CORAL GABLES, FLA.

Chairman MADDEN. Governor Earle, will you raise your right hand, and be sworn?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth in the hearing now being held, so help you God?

Mr. EARLE. I do.

Chairman MADDEN. Now, will you just give your full name and address to the reporter, please, for the record?

Mr. EARLE. George Howard Earle, 6508 Cabalero Boulevard, Coral Gables, Fla.

Chairman MADDEN. What is your business?

Mr. EARLE. I am retired at present.

Chairman MADDEN. All right, proceed, Mr. Counsel.

Mr. MITCHELL. Governor Earle, I realize that you have just told me this morning you had a serious operation recently. I have just mentioned it to the members of the committee, and they will respect that fact.

Rather than go back and retrace your history up to now, I would like to have you, since you offered to testify and since you gave this committee a statement on June 3 that you had been Minister to Bulgaria and Rumania, I believe, under naval cover during the war—

Mr. EARLE. No; Minister to Bulgaria and Minister to Austria, and Special Emissary for President Roosevelt in Turkey for Balkan Affairs.

Chairman MADDEN. And, Governor, previous to that, you were Governor of what State?

Mr. EARLE. Governor of Pennsylvania.

Mr. MITCHELL. I would like to have you tell the committee at this time your specific knowledge concerning the conversations you had with President Roosevelt concerning the Katyn massacre.

Mr. EARLE. In order that you gentlemen and those who are interested should not think this is an aftermath of the last election, I would like to read what I testified to 4 years and 8 months ago, to the day, before the House Foreign Affairs Committee.

I said that I went to Casablanca as a gunnery officer on a Navy transport. General Patton, an old polo-playing friend of mine, gave me a report on the North African operations, which I brought back to the President.

When I warned the President at that time, in December of 1942, after returning from Casablanca, of the great Russian menace, greater than the German menace, he said, "George, don't worry, Russia is so big it would break up when this war is over." I told him I did not think so. Then I went over to Turkey

and was undercover agent to report on the Balkan affairs to President Roosevelt, and try to get Bulgaria out of the war. For a while I was entirely against the Nazis. Then when I received evidence of how Russia, while we were saving them, was issuing propaganda to the underground against us, preparatory to destroying our influence in Europe, things changed.

Acting Chairman Maloney, of the House Foreign Affairs Committee, said:

How early was that?

As early as the first part of 1944. In May 1944 the President recalled me for consultation. I will not forget how an old friend of mine, Joe Levy, of the New York Times, went to the station and said, "George, you don't know what you are going to over there." He said, "Harry Hopkins has complete domination over the President and the whole atmosphere over there is 'pink'." He said, "If you go over and report against Russia, you, who would be the best authority for the administration in the Balkans, would be finished."

I said, "Well, Joe, I appreciate that very much." Joe did not do it as a matter of policy to his paper, or anything else. He was a friend of mine, and I said, "Joe, after all, my country and children and grandchildren come before what will happen to me." So I went over and reported on it. To my horror, when I got here I found the President really believed that the massacre of those 10,000 Polish officers by the Russians, of which I had all the proofs and pictures, was done by the Germans, which was of course absolutely incorrect. The Polish Ambassador in both Moscow and Ankara had been asking where the officers were, and the Russians were saying they were scattered through Russia. The Germans were not within hundreds of miles of where the Polish officers, 10,000 of them, were murdered.

I felt pretty hopeless after that.

In the anteroom there I met Secretary Forrestal of the Navy and talked to him about it and he said:

My God, I think this is dreadful. We were all alone over here. Russia can do no wrong. It is perfectly dreadful.

He said: "They just simply are blind to the whole situation."

Now, in August of 1944, I sent to the President what I consider the most important document I ever sent to him. It was a report on Russia of a neutral ambassador to Russia. I turned that report over to the Foreign Affairs Committee.

In Istanbul, on August 22, 1944, I wrote this letter to the President at the White House:

MY DEAR MR. PRESIDENT: The enclosure with this letter I consider the most important communication I have ever sent to you. I beg of you to read it very carefully. \* \* \*

Chairman MADDEN. What date was that?

Mr. EARLE. August 22, 1944.

Now, he wrote there and summarized the whole Communist situation. Gentlemen, I want to say it is the most magnificent thing I ever read. It could not be better today, and that was 8 years ago. I fear he is right about Russia.

Here is my letter, and I made two observations:

\* \* \* An American banker said to me a few weeks ago, "We should have been warned of Japan's intentions by the simple fact that every Japanese tourist in America is pictured with a camera, and American tourists were not permitted cameras in Japan." In the same way I say by the fact Russia will not permit our soldiers to fight with them nor our correspondents to go to the front should warn us of Russia's intentions.

Also, and far more important is the fact the moment fighting is over, there will be irresistible pressure from the people of the democracies to demobilize and return home our soldiers. There will be no such pressure to demobilize the Russian soldiers since the lot of a Russian is far more comfortable in the Army than at home.



My most fervent hope is that a year from today you can say, "George Earle was a fool and an alarmist."

Cordially and respectfully yours,

GEORGE H. EARLE.

Now, I just want to read one little excerpt from this magnificent report of this neutral diplomat. He gives three classes of people and their attitude toward Russia. Now, you gentlemen think over this third class and see how many people it applied to in Washington:

A third class of people have decided to display an extraordinary agnosticism and do not want to hear anything about a Russian problem, because it presently disturbs the comfortable line of thought they have been driven into by the radio and the press, viz, that there is a big black wolf called Germany, after the destruction of which the world will be happy and free forever. These people, when placed before certain uncomfortable facts, just answer "It's all German propaganda."

At least those who have a responsibility in allied countries must try to think of the Russian problem as seriously as the Russian leaders think of the European problems.

Now, gentlemen, I kept on reporting. I was sick at heart when I saw the President with the proofs that I brought him—which I will come back to in a minute.

These are all letters from the President. I have about 50 or a hundred of them.

It is a very interesting thing about his letters. No matter what you wrote him, how unimportant it was, he always answered unless he disagreed with you. If he disagreed with you, no matter how important it was, he never answered.

Mr. MITCHELL. Governor, will you kindly select those letters that have pertinency to the Katyn investigation?

Mr. EARLE. Yes. Now, in order, first of all, that I might prove my right to be his special emissary as—I mean to say I want to prove that first of all—he gave me a cover as a naval attaché in Turkey, because after a certain episode when I hit a Nazi officer over the head with a champagne bottle President Roosevelt said the Nazis might kidnap and shoot me. So he gave me a diplomatic cover as an assistant naval attaché.

On June 11, 1944, I wrote to the President:

With all the tremendous burdens now upon you—

Chairman MADDEN. Is this a letter you are reading now?

Mr. EARLE. This is a letter I wrote to President Roosevelt. This will give you my credentials as his special emissary.

Chairman MADDEN. I understand. But let us mark these letters as exhibits.

Can we have those letters as exhibits for the record? They will be returned to you later.

Mr. EARLE. Certainly.

Chairman MADDEN. Can you identify the letter as you read it.

Mr. EARLE. This is my letter to the President, of 11th of June 1944.

Chairman MADDEN. We will mark that first letter "Exhibit No. 26."

(The letter referred to was marked "Exhibit No. 26" for identification and is as follows:)

**EXHIBIT 26—AMBASSADOR EARLE'S LETTER TO PRESIDENT ROOSEVELT**

JUNE 11, 1944.

**MY DEAR MR. PRESIDENT:** With all the tremendous burdens now upon you I am terribly sorry to bother you with a comparatively unimportant and personal matter.

As I have had 26 months of active service as a lieutenant commander, United States Naval Reserve, I am now eligible for promotion; however, since all my reports have gone only to you, either directly or through Harry Hopkins, I am told by the naval officers I have consulted that there is no one but you who can give me a fitness report or recommend me for promotion.

I therefore enclose my fitness report. If it bothers you in the slightest, please don't hesitate to throw it in the waste-paper basket.

Cordially and respectfully yours,

THE PRESIDENT,  
*The White House.*

Mr. EARLE. This one is from the White House, June 26, 1944:

Mr. PUCINSKI. Mr. Chairman, we will mark these "Exhibits 26 and 26-A," the letter and the reply.

Chairman MADDEN. All right.

(The document referred to was marked as "Exhibit 26-A" for identification, and appears on p. 2200.)

Mr. EARLE. Gentlemen, I think this is so important to show you the attitude of the White House.

For instance, I personally believe that Alger Hiss is guilty as hell. But I think the greatest guilt is not—well—

Chairman MADDEN. Now, wait a minute. Let us confine this to the Katyn hearing.

Mr. EARLE. Aren't you being a little partisan, Mr. Chairman?

Chairman MADDEN. What is that?

Mr. EARLE. Aren't you being a little partisan in not wanting to hear a little against your dear Democrats?

Chairman MADDEN. We would like to go into all this, but, nevertheless, we have a great number of other witnesses and we would like to confine the testimony to the purposes of the committee.

Mr. EARLE. Mr. Chairman, I have listened here to irrelevant testimony for hours today, so I don't see why you should deny me the right to do so.

Chairman MADDEN. Just so we are not detained indefinitely.

Mr. EARLE. I don't think this will detain you indefinitely. This will show you the complete refusal of the White House to hear anything against the Russians. I think that is very relevant.

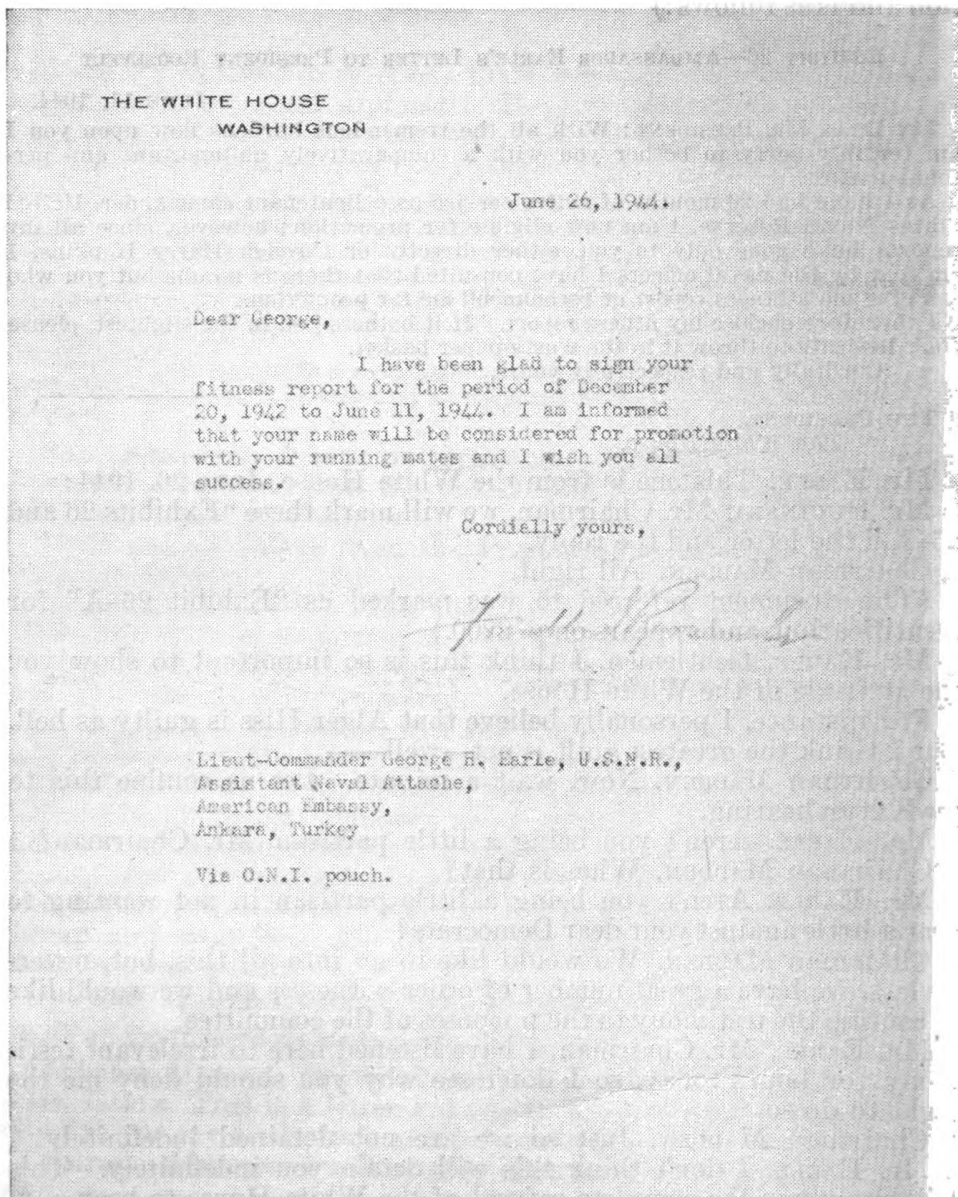
Chairman MADDEN. Proceed.

Mr. EARLE. I wrote to the President that my duties in Turkey were finished because the Turks had broken off relations with the Germans. I asked to be recalled, which he did.

I returned here, and he thanked me very much and told me my work had been good service. I told him I was willing to stay in the Navy. He told me at my age it wasn't necessary.

## THE KATYN FOREST MASSACRE

## EXHIBIT 26-A—MR. ROOSEVELT'S REPLY



So I wrote him March 22 saying that unless I heard to the contrary, I was going to publish a complete statement about Katyn, about how Russia was a much greater menace to America than Germany ever was, because they had the men, the raw materials, and these millions of fifth columnists.

Mr. MACHROWICZ. What year would that be, Governor?

Mr. EARLE. That is March 22, 1945, about 3 weeks before he died, when I returned.

Here is his letter.

I had addressed the letter to his daughter Anna requesting her to read it to him because Steve Earley was not there and I was afraid he would not get it.

May I say, gentlemen, this was in March of 1945. It was about the time Hitler and Eva Braun, his new wife, had committed suicide in the bunker outside of Berlin and the atomic bomb was almost completed, the war was practically finished. There was nothing but guerrilla warfare left.

This is March 24, 1945:

DEAR GEORGE: I have read your letter of March twenty-first to my daughter Anna and I have noted with concern your plan to publicize your unfavorable opinion of one of our allies at the very time when such a publication from a former emissary of mine might do irreparable harm to our war effort. As you say, you have held important positions of trust under your government. To publish information obtained in those positions without proper authority would be all the greater betrayal. You say you will publish unless you are told before March twenty-eighth that I do not wish you to do so. \* \* \*

I was loyal to him. I said I would not publish it if he told me not to do it.

\* \* \* I not only do not wish it, but I specifically forbid you to publish any information or opinion about an ally that you may have acquired while in office or in the service of the United States Navy.

In view of your wish for continued active service, I shall withdraw any previous understanding that you are serving as an emissary of mine and I shall direct the Navy Department to continue your employment wherever they can make use of your services \* \* \*."

I got orders to go to Samoa, as far as they could get me from Moscow, where there was complete censorship.

I am sorry that pressure of affairs prevented me from seeing you on Monday. I value our old association and I hope that time and circumstance may some day permit a renewal of our good understanding.

Now, gentlemen, that was after the war was practically finished.

Chairman MADDEN. Can we have that as an exhibit?

Mr. EARLE. This letter I have been offered fifteen hundred dollars for, and please don't lose it.

Mr. MACHROWICZ. Have you read the letter to which this was an answer?

Mr. EARLE. No. I did not keep my letters.

Mr. MACHROWICZ. You do not have a copy of it?

Mr. EARLE. No.

Mr. PUCINSKI. Mr. Chairman, in view of the value of this letter to the Commander, can we just read it into the record and return it to him at this time rather than keep it? He said it is worth fifteen hundred dollars to him.

Mr. MITCHELL. We have not lost one document yet, and we have taken documents from all over the world.

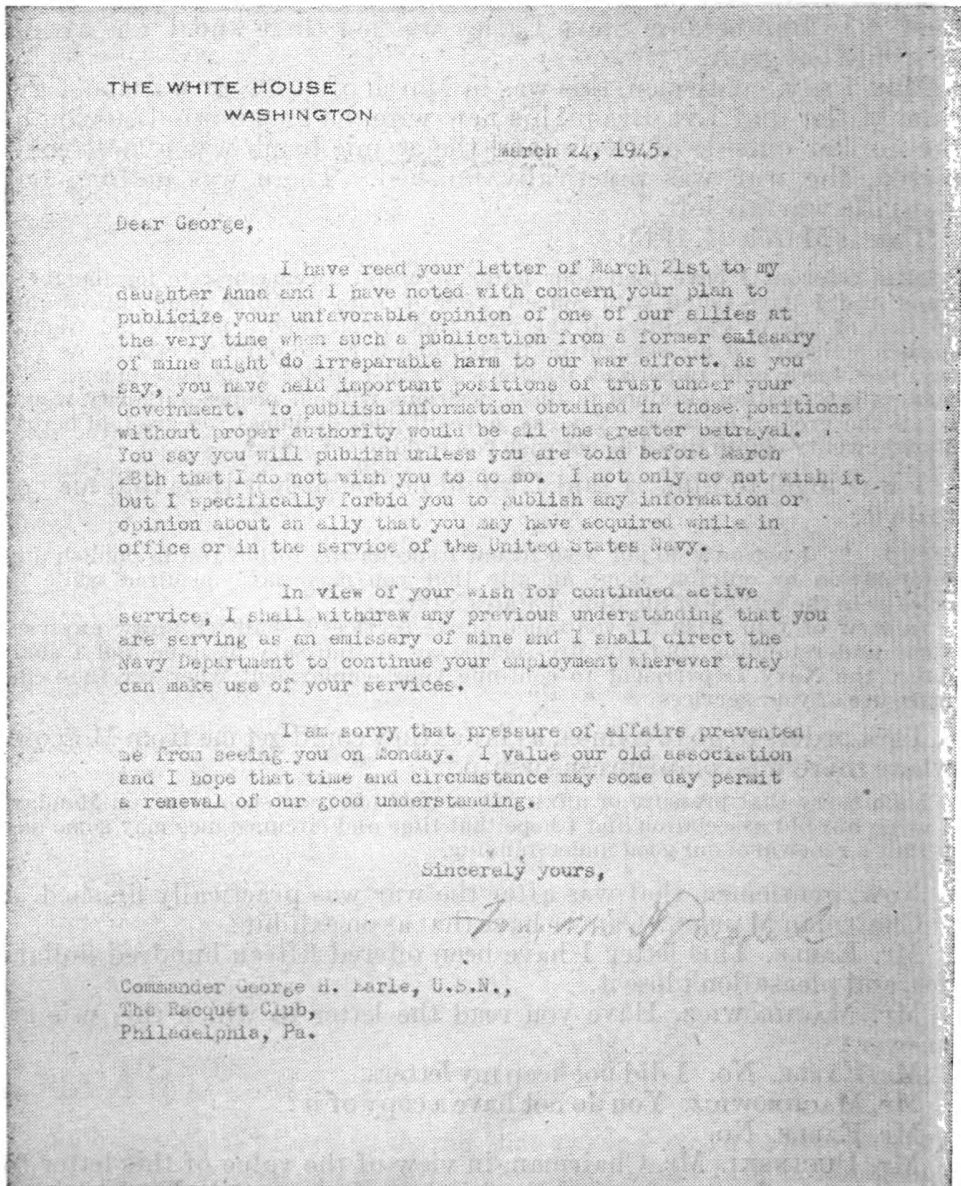
Mr. EARLE. I was offered that by Mr. Rosenbach.

Chairman MADDEN. That will be the next exhibit.

Mr. PUCINSKI. That is exhibit No. 27.

(The document referred was marked "Exhibit 27," and is as follows:)

EXHIBIT 27—MR. ROOSEVELT'S LETTER TO AMBASSADOR EARLE



Mr. EARLE. Now, gentlemen, just one other thing in this matter. It is very interesting to show how active mentally the President was before he died.

I wrote him I did not want to go to Samoa, the war had passed it by. However, Steve Early told me later. I had concluded my letter by saying:

May God guide you right through this Russian mess.

The President knew very well who was responsible for the Russian mess, and here is his answer—that remark got me sent to Samoa——

Dear GEORGE: Your letter of March twenty-sixth has just reached me, and your orders to duty on the Pacific have already been issued as I have already changed instructions once. I think you had better go ahead and carry them out and see what you think of the Pacific War as one of our problems \* \* \*

He had heard all he wanted to hear from me about the European problems.

With all good wishes,

FRANKLIN D. ROOSEVELT.

Gentlemen, I want to point out to you how very loyal I was to the President. I said I wouldn't publish anything if he told me not to. In spite of that, down I went to Samoa.

When I returned from there, the Chief of Personnel of the Navy and Commodore Vardaman, the President's Navy aide, both called me in to apologize to me and said they were very sorry, that the Navy Department had nothing to do with it.

And then, Commodore Vardaman, one of Harry Truman's closest friends, made a very interesting remark. He said—

We Truman people never turn over a Roosevelt stone that we don't find a snail under it.

I don't know what he meant by it, but possibly you gentlemen do.

Now, I would like to go into this Katyn massacre.

Thank you very much, Mr. Chairman, for your permission to bring in what I consider showing the attitude here in Washington.

Chairman MADDEN. Proceed.

Mr. EARLE. The Katyn massacre we knew all about in Turkey. Of course, the Turks, you know, their foreign policy is purely one of being anti-Russian, because they know Russia wants their warm-water seaports.

Now, we knew all about that and we, of course, had our very strong opinions.

But one day, one of my agents, a White Russian, brought me these photographs of the Katyn massacre. And then one of my agents in Bulgaria brought me three letters, two from two members of the Bulgarian Red Cross and one whom I had known, and one from the Rumanian Red Cross, whom I had known only by reputation.

These men gave these affidavits that they had gone up there and personally inspected this Katyn situation, and they said that by the state of decomposition of the bodies, by many other evidences, there could be no question that it was the Russians who had done it.

Now, I went to Captain Trammel, of the United States Navy, a very able intelligence officer in Istanbul. I was not under his orders; I was reporting directly to the President. We worked together very well. I showed him these pictures. They were very bulky, and, as you know, in those days airplane travel weight was important.

So the smaller folders were given to me, and I gave the larger folders, but not the affidavits, to Captain Trammel.

And as I wrote you gentlemen 2 or 3 months ago, if you ask him, he still has the big ones. The small ones I took in to President Roosevelt with a magnifying glass and showed them to the President.

He said, "George, this is entirely German propaganda and a German plot. I am absolutely convinced the Russians did not do this."

I said, "Mr. President, I think this evidence overwhelming."

Mr. MITCHELL. When was this?

Mr. EARLE. The President recalled me for consultation in May of 1944. Now, this was a year after this had happened, but this evidence, conclusive evidence, had never been given to me before. It had been given to me, I think, about February that year, and I wasn't called for consultation—I wanted to present them personally to the President—I wasn't called for consultation until May of 1944.

These were the President's words. He said:

George, you have been worried about Russia ever since 1942. Now—he said—

let me tell you I am an older man than you are and I have had a lot of experience. These Russians, they are 180 million people, speaking 120 different dialects. When this war is over they are going to fly to pieces like a centrifugal machine cracked through and through, traveling at high speed.

He said this to me three times. That was his stock-in-trade answer, we had nothing to fear from the Russians because they would fly to pieces.

Now, as I say, I felt very hopeless. As I went out of the door, I said, "Mr. President, please look those over again."

Mr. MITCHELL. From whom were those affidavits?

Mr. EARLE. The affidavits were from two Bulgarian Red Cross men and one Rumanian.

And, gentlemen, my memory is poor for those foreign names, and particularly poor when their families are still behind the iron curtain.

Mr. MITCHELL. We do not want the names on the record. We are not asking to have the names on the record if you have the slightest doubt in that regard. It has always been the policy of this committee to do that.

Mr. EARLE. I understand.

Gentlemen, that has been 8 or 9 years ago, and I really do not remember those names. But if I did remember I would have to give them to you in confidence.

Mr. MITCHELL. Thank you.

Mr. EARLE. But now, of course, the way I feel is this: As you know, when the Poles demanded a neutral Red Cross investigation—of course, you could hardly consider Bulgaria and Rumania a neutral Red Cross because they were occupied by the Germans at that time, the spring of 1942—but what defense could Stalin have to this if he were guilty?

The only defense Stalin could have was to fly into a rage and absolutely say:

This is an outrageous thing; this is a dreadful thing, and I am going to break off relations with these horrible Poles for saying such terrible things about us fine Russians.

That was the only possible defense he had. Suppose he had kept up relations with them; how could he have refused them the right to send those neutral Red Cross agents in there? He could not have done it.

So, he took the only defense he had, and that was to fly into a fury of outraged righteousness and break off relations with the Poles. What else could he do?

**Mr. MITCHELL.** You are speculating now, are you not? At the time you saw the President in May 1944, was that part of your conversation?

**Mr. EARLE.** What?

**Mr. MITCHELL.** What you are recounting to the committee here now?

Did you tell him, "What else could Stalin do?" Are you relating a conversation you had with the President?

**Mr. EARLE.** No; I did not say that to the President.

**Mr. MITCHELL.** You are speculating then?

**Mr. EARLE.** Yes; I am speculating.

**Mr. MITCHELL.** In 1943 or 1944—in fact, until this committee came into being—everybody thought it was an international mystery, because there was so much propaganda on either side.

I would like to have you tell the committee then specifically what went on between you and President Roosevelt in that conference in May 1944.

**Mr. SHEEHAN.** Mr. Counsel, may I correct the record?

You say "everybody thought it was an international mystery." We got information from military attachés in 1942 saying the Russians had done it.

**Mr. MITCHELL.** This committee was on record as already saying in the report that the Russians did it.

**Mr. SHEEHAN.** I am correcting the record.

**Mr. EARLE.** As I say, I came in there with this book of photographs.

You can get the original photographs if you don't already have them. Captain Trammel must have kept them.

**Mr. MITCHELL.** I have checked with the Navy Department and I have gotten the same, identical pictures which were put on the record in Frankfurt, Germany, this last April.

**Mr. EARLE.** Do you have them?

**Mr. MITCHELL.** Yes.

**Mr. EARLE.** I went in there and I said, "Mr. President, I am very much worried about this Russian situation. I feel that they are a great menace, and I feel that they have done their best to deceive the American people about this Katyn massacre, and, also, primarily and most important of all, by this dreadful book of Joe Davies, Mission to Moscow, which made Stalin out a benign Santa Claus. We never recovered from that. It made such an impression on the American people."

"Now," I said, "Mr. President, these Russians, you have no idea already, in the countries of Rumania and Bulgaria, what they are trying to do to us."

And then, gentlemen, I showed him a picture which they had distributed, which I always regretted I did not keep. It was a picture of Babe Ruth with a bat over his shoulder—a great, big picture—and an adoring little American boy looking up at him. And, underneath it, it said in the language of these iron-curtain countries, "Typical of democratic America; this great American brute is about to club this little American boy to death."

I always regret I did not keep that picture. I gave it to the President.

**Mr. MITCHELL.** I think you are making a slight mistake there when you say "iron-curtain countries." They are iron-curtain coun-



tries today, but then they were Nazi-dominated countries; were they not?

Mr. EARLE. 1944, no, sir. Do you mean to say Rumania and Bulgaria weren't in the hands of Russia in 1944?

Mr. MITCHELL. When were they taken over, specifically?

Mr. EARLE. The latter part of 1943 or in 1944. This was in May 1944.

Do you mean to tell me they were not in the hands of the Russians in May 1944, when I spoke to the President?

Mr. MITCHELL. I believe you placed that "at that time" as having been under the control of one of the Allies in wartime, which was 1944; is not that correct?

The phrase "iron curtain" did not come into being until after the war.

Mr. EARLE. Oh, I beg your pardon. They may not have called it the iron curtain——

Mr. DONDERO. May I suggest we are wasting time. The record will show that.

Mr. EARLE. Your contention is that Rumania and Bulgaria were not in the control of Russia in May 1944.

Mr. MITCHELL. I do not want to get into a debate with you. I am talking about the phrase "iron curtain," and I want the record to show that. You may say what you like about it, but I do not believe that at that time, in 1944——

Mr. EARLE. Oh, no.

Chairman MADDEN. Let us proceed.

Mr. EARLE. Well, I came back and I showed him this picture, and I told him how worried I was about the whole Russian situation.

"Now," I said, "about this Katyn massacre, Mr. President, I just cannot believe that the American President and so many people still think it is a mystery or any doubt about it." I said, "Here are these pictures; here are these affidavits, and here is the invitation of the German Government to let the neutral Red Cross go in there and make their examination. What greater proof could you have?"

He said, "George, they could have rigged things up. The Germans could have rigged things up."

He even mentioned the fact that they might put in other bodies or something to make them look older or younger, or older or newer deaths, or something like that.

He said, "Those Nazis are very smart, and they could rig it up for the Red Cross."

"Well," I said, "Mr. President, if you send in the proper kind of representatives, the neutral Red Cross men, they could not do it."

Then he said—the rest of his conversation was—"Now, I want you to find out something about the veterans of this war, whether they should have a new organization or use the old organization. Also, I want you to go out over the country and spend 3 weeks finding out whether I can be elected or not." Which I did. I went through the country and telephoned him he was sure of election, but begged him not to run. I told him, "You have had a magnificent career, and this Russian question can be solved only by blood and tears. For God's sake don't run."

That was my advice to him.

Mr. MITCHELL. Did that terminate the conversation?

**Mr. EARLE.** I went into greater detail, as I said before: that they had the natural resources; they had a million fifth columnists, whereas the Germans had only a few highly paid ones; how they hated democracy. And I told him Lenin's words, how the world must be made communistic. And I said they are so much a greater menace than the Germans there was no comparison.

At my conference when I got up and was leaving, I asked him to go over the testimony I had left and the evidence I had left. And he did not answer, and I walked out of the room, and that is the last I ever saw him.

I called him on the telephone and told him about the information he asked me to get about the veterans and about whether he would be reelected.

**Chairman MADDEN.** What year or month was that?

**Mr. EARLE.** That was in May 1944, just before the landings in Normandy.

**Mr. O'Konski.** In other words, Governor, after you gave him the report that you were convinced that the Russians slaughtered these 10,000 or 15,000 Polish officers, his reaction to that was that you should go around the country and find out if he could get reelected or not?

**Mr. EARLE.** That and the veterans' matter; that is what he wanted me to find out.

And I came back telephoned him he would be reelected. And 4 weeks later I was promoted to commander. I don't think it had anything to do with it; it was just a coincidence.

**Mr. O'Konski.** Governor, was it not your impression that, throughout this whole period, even if Russia had murdered 100,000 or even as many as 500,000 Polish officers, and we knew it to be true, that he still would have covered up for the Russians because of the policy we were carrying on at that time?

**Mr. EARLE.** I think that the love and respect and belief in Russia in the White House was simply unbelievable to me. I just cannot understand it. Everywhere I went there were just a few people, Forrestal and Bullitt and myself and a few others—I am not sure of all the names because I wasn't here, so I don't know—but I don't understand it.

The liberals got all twisted up. They seemed to think that communism was liberalism, whereas, in reality, communism is the worst enemy of liberalism. There is no freedom of the press; no right of collective bargaining; no freedom of speech. It violates every tenet of liberalism.

Yes; I think these Americans for Democratic Action should be called Americans for Socialistic Action.

May I say the American people don't know the difference between socialism and communism. Let me tell you the difference. I am sure that many of you know it.

The only difference is this: They both believe in Lenin's teaching. The only difference is that the Communists believe in seizing it by a militant minority, any kind of crime to get it, by violence, while the Socialists mean to get it by legal means or by the vote of the people. There is no difference. They both believe absolutely in the teachings of Lenin.

There is no difference except the method of attaining it. Very few people realize that.

Mr. O'KONSKI. Were you in any way forewarned about the change in complexion of the White House before you arrived there for this conference?

Mr. EARLE. Yes. Were you here when I read about what Joe Levy said to me?

And I want to tell you another very important thing that shows you about that.

In the fall of 1944, the head of the OSS in Istanbul was Lt. Col. Packy McFarland. He had his nickname from the old prize fighter. He was a banker from Chicago. He asked me to come to lunch and he said, "Now, George, you don't realize that you are one of the fair-haired boys of the White House, but these reports that you are putting in against Russia are getting you very much in wrong. You are not going to be recognized there very soon."

Now, gentlemen, as you know, of course, memories are pretty tricky.

First of all, what I thought he said was this, "We have definite orders in the OSS not to do any espionage work against the Russians or to put in any derogatory reports about them."

Now, I saw General Donovan, who was head of the OSS, who is a magnificent American, a great soldier, who has been awarded the Congressional Medal of Honor, who is absolutely honest. I told him about that, and he said no such orders were ever issued.

My memory may trick me on that because Donovan's denial of the order from headquarters was absolutely certain for me. However, Farland may have said, "We wouldn't think of endangering ourselves over here by doing it." Or he might have said, "We wouldn't think of doing such a thing."

Later on, the same McFarland was dropped in Yugoslavia with young Churchill, and he came out of there seeing the brand of communism of Tito, who was, after all, nothing but a murderous Communist. He happens to be our murderous Communist at present; so we get along with him. But he said he came out so exercised about the dreadful dangers of communism that he came over here after he got out of the OSS and went from department to department of this Government trying to awaken them to the dangers of communism. He was so impressed by them in Yugoslavia.

Now, gentlemen, McFarland might clarify that situation because I know Donovan speaks the truth and McFarland seemed like a truthful fellow. I may have misunderstood him. The least he said was we wouldn't think of doing espionage work against the Russians, or making derogatory reports about them.

That he did say. Now, whether it was orders, or he wouldn't dare do it, my memory is not certain. But I do believe General Donovan, gentlemen.

Mr. O'KONSKI. Governor, even after the war in Europe ended, you no longer needed Russia as an ally. I mean that is the pretense they always used: that, after all, Russia was an ally, and they were afraid we would lose them; so we had to play along with them.

Here the war was ended, and certain Americans were quite disturbed about this Communist business. There were a great many Americans who started an organization called the American Anti-Communist Association.

Mr. EARLE. That is correct, sir.

**Mr. O'KONSKI.** You were asked to head that organization; were you not?

**Mr. EARLE.** Yes; that is correct.

**Mr. O'KONSKI.** What was the reaction among your superiors when you assumed the post of president of the American Anti-Communist Association after the war was ended?

**Mr. EARLE.** I can give you that from a letter from President Truman.

**Mr. O'KONSKI.** The reason why I am familiar with that phase of it is that after you resigned the only person they could get in America to lead it was myself, and I succeeded you; is that correct?

**Mr. EARLE.** Yes.

Now, gentlemen, I resigned from the American Anti-Communist Association as president, and I wrote to President Truman that I had done so. But I warned him that the party that took the greatest, strongest stand against this infiltration of communism, which meant the destruction of all our liberties if it succeeded, would merit the undying gratitude of the American people.

And he wrote me back this letter in February 28, 1947.

And since the war, Russia has broken promise after promise and has violated every kind of treaty she has made.

**Mr. O'KONSKI.** And already exercised 30 vetoes at the United Nations.

**Mr. EARLE.** That is right.

This is from the White House, Washington, February 28, 1947:

DEAR GOVERNOR: I appreciate very much your note of February 26, and I am very happy to be informed of your decision with regard to the American Anti-Communist Association. \* \* \*

Now, the reason I gave for resigning had nothing to do with pro-communism; quite the contrary.

\* \* \* People are very much wrought up about the Communist "bugaboo" \* \* \*

"Bugaboo," gentlemen, Webster defines as an imaginary object of fright. I wonder if our boys in Korea think communism is an imaginary object of fright.

\* \* \* People are very much wrought up about the Communist "bugaboo," but I am of the opinion that the country is perfectly safe so far as communism is concerned. \* \* \* We have too many sane people. Our Government is made for the welfare of the people, and I don't believe there will ever come a time when anyone will really want to overturn it.

Sincerely yours,

HARRY S. TRUMAN.

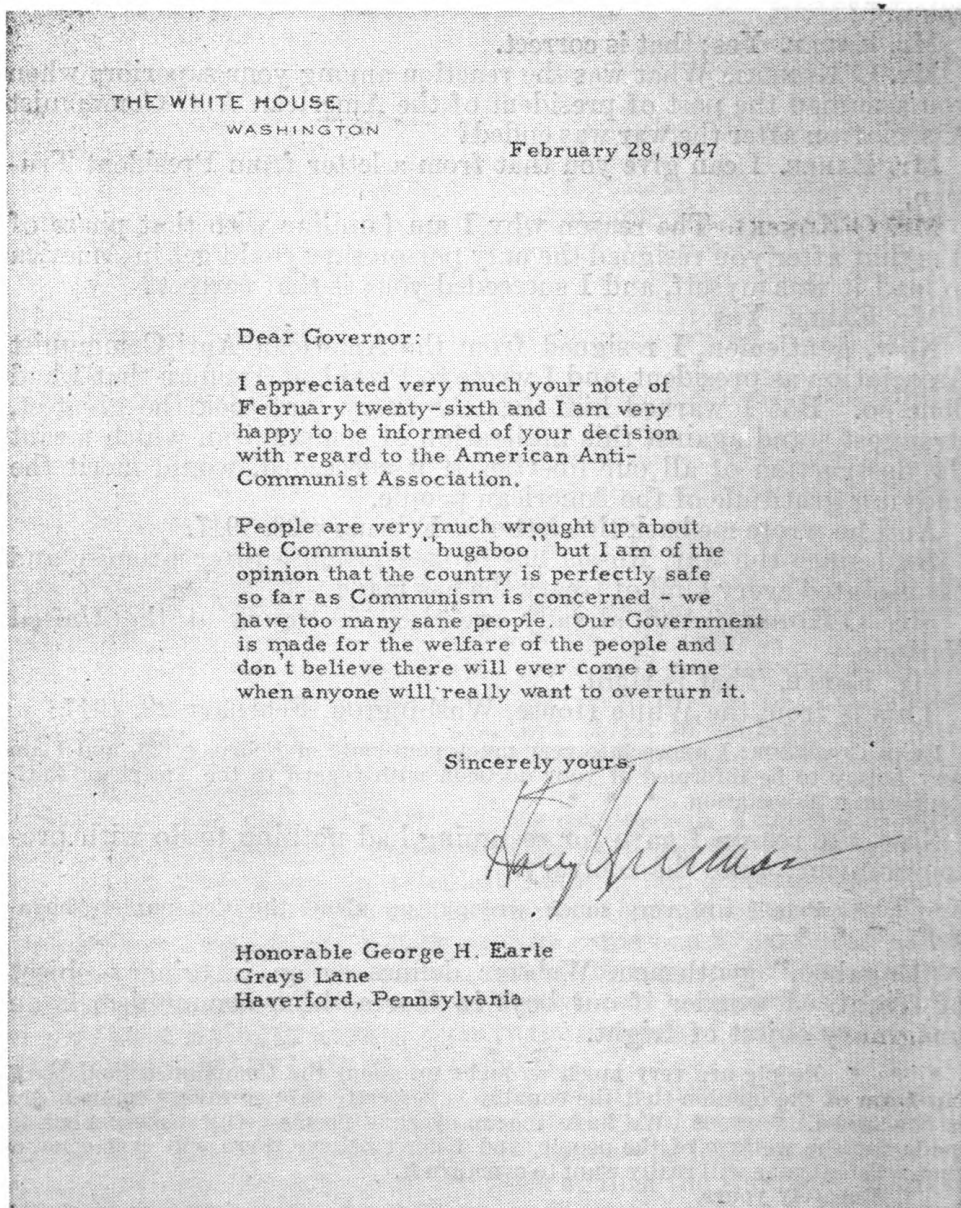
**Chairman MADDEN.** That will be marked "Exhibit 28."

(The document referred to was marked "Exhibit No. 28," and appears on p. 2210.)

**Mr. O'KONSKI.** Let us get back to the Katyn story now, Governor.

In other words, the Katyn story is not significant in itself; but, no matter what kind of story might have emanated that was derogatory to the Russian interests, that kind of story would have gotten the same kind of treatment, as far as subduing it is concerned, from high places in our Government, just as the Katyn story did? It is not Katyn alone that was subdued, but any information derogatory to the Russians would be subdued in the same way; would it not?

## EXHIBIT 28—PRESIDENT TRUMAN'S LETTER TO AMBASSADOR EARLE



Mr. EARLE. Anything except one thing, and that would be mass murder of Americans. I can't think of anything else that would have caused the White House to take any derogatory position to Russia.

If they had murdered a lot of Americans, they might have, nothing less.

Mr. O'KONSKI. In other words, their story always was that anything anti-Russian was really anti-war-effort. Was that the general impression they tried to convey?

Mr. EARLE. Over here, with the war nearly over, you see what President Roosevelt says in his letter:

I forbid you to say a word against an ally.

This when the war was practically over.

**Mr. O'KONSKI.** At the same time, did the same people who said they were afraid that they might disturb the war effort show any inclination whatever to subdue any anti-Polish propaganda? And Poland was one of our gallant allies. Did they make any effort to subdue that kind of propaganda?

**Mr. EARLE.** That I did not know about. I was in Turkey. I would not know about it.

**Mr. O'KONSKI.** Did they make any effort to subdue anti-Chiang Kai-shek propaganda?

**Mr. EARLE.** As I say, I was in Turkey. I cannot answer that question.

**Mr. O'KONSKI.** This thing strikes me as funny. The only ally they were always concerned about in not trying to create any suspicions about was Russia. Whatever they might say about some of the other glorious Allies, like Poland and Chiang Kai-Shek, they were perfectly free to go ahead and say it; but Russia must never be touched, she must never be criticized.

They were afraid she might leave us and make a separate peace with Hitler, and then where would we be? That was their attitude? How incredible.

**Mr. EARLE.** That is right.

Of course, I want to tell you that right after Tehran the Russians absolutely promised to give the people in the Balkans the right of self-determination. Only a short time after the Russians occupied Bulgaria, and only a very few short weeks, I think, after Tehran, when they promised the self-determination to the people, the Russian soldiers were arresting the Bulgarian liberals who used to meet with me at 2 or 3 o'clock in the morning on lonely roads to plan how to take action against the Nazis when I was Minister. They were executing those liberals and democrats within a few weeks after their promise at Tehran, when they promised that the Balkan people should have self-determination. That is how long they kept their promise.

**Mr. O'KONSKI.** Just to make this thing fair on all sides—this is not critical with me in any sense—let me ask: Do you really understand what was the mission of Wendell Willkie's going over to Russia? What part did he play in the cover-up and apology of the Soviet Union, the "great democratic forces" of Soviet Russia?

Were you ever informed as to what part he played in this cover-up of Soviet Russia?

**Mr. EARLE.** There, again, I only had sketchy reports from the Turkish press.

**Mr. O'KONSKI.** You had no contact with him?

**Mr. EARLE.** I just met him when he went through there, but he said nothing to me of interest.

Of course, one of the most terrific things to me and one of the things I regret most of all was when I met Forrestal. He said, "Please come over, George, and talk this thing over with me," and I didn't do it. I was in such a hurry to carry out these orders of the President and go back to Turkey.

Just those few words. He burst out and said, "Oh, my God, we are almost alone here. Anything Russia does is right, and they don't see the menace of it, George."

And he said, "It is dreadful. I am worried sick." And, as you know, later he committed suicide, probably brought on by his worry over the trend of the present American foreign policy with regard to Russia.

Mr. SHEEHAN. Governor, may I point out an observation on the so-called bipartisan foreign policy? It seems to me that every time one of the Republicans got in with Mr. Roosevelt, he silenced him on his word of honor not to reveal what they know.

So, therefore, a bipartisan policy means only a policy of the party in power.

Mr. EARLE. That would be true, sir, under those conditions.

Mr. O'KONSKI. Do you have any other letters, Governor, from anybody, that could shed a little light on this thing? You were in a position where you turned out to be the man who was 100 percent correct, and your superiors were found to be 1,000 percent wrong. Do you have any other letters or documents of any kind that you could insert in the record, that will show us the picture that prevailed at that time?

If Russia had committed mayhem, rape, plunder, no matter what acts of atrocity or international crime she committed, that would never be told to the American people, we would cover up for them.

Do you have any other information to give us?

Mr. MITCHELL. Do you mean concerning Katyn?

Mr. EARLE. Yes. This concerns Katyn.

You gentlemen have had no testimony from Prince Mirsky, or Princess Mirsky?

Mr. MITCHELL. No.

Mr. DONDERO. From what country?

Mr. EARLE. Prince Mirsky was a Polish officer, and he was taken into prison in Katyn. He got his title of prince in a kind of nebulous way, he told me, because he was descended from Russian exiles, and they had a tradition that if anybody had a Scandinavian name like Rollo or something like that, then that person got the title of prince.

He married a Polish woman. He was captured with the other Polish officers and taken to Katyn.

Mr. MITCHELL. Where was he taken?

Mr. EARLE. He was taken to Katyn.

Mr. MITCHELL. Are you calling for the record to say that he was taken to Katyn? In the investigation of this committee—

Mr. EARLE. He was imprisoned in Katyn, let us say.

Mr. MITCHELL. We have never found a Russian prisoner-of-war camp any closer to Katyn than 11 miles.

Mr. EARLE. Well, they called it Katyn. The murder was near the prison of Katyn. He said he was in the prison camp.

Mr. MITCHELL. Maybe Kozielsk. Kozielsk is about 11 miles east of Smolensk.

Mr. EARLE. Wherever the murders were committed, that was the prison camp.

Mr. MITCHELL. No; it was not, Governor. I want to correct you on that point. The murders were in a forest called Katyn.

Mr. EARLE. That is right; yes.

Mr. MITCHELL. There was no prison camp in Katyn.

Mr. EARLE. I mean the prison camp nearest to Katyn.

Mr. MITCHELL. That is Kozielsk. It is about 30 miles.

Mr. EARLE. All right.

Now, as you know, the way they found it out was that the old Russian peasant told them there was firing in the forest of Katyn, and the Germans went up there and found them.

This is what Mirsky said, that at that time, the Germans and Russians were working together, and he had some estates or something in Rumania, and the Rumanians got him out of there a few days before the massacre. And when he tried to correspond with his fellow prisoners in there, he said, they told him, "Well, don't bother about that: we got you out just in time and you will never hear from them again."

Now, if you get this Prince Mirsky, he will give you that testimony.

Now, gentlemen, I just want to tell you this little story about his wife. His wife was put into a prison. She was a Polish woman and she was put into prison because of the fact that she had the title of princess, they thought she might have information they could get from her.

She told me this story herself.

So they put her down in this dungeon and they tried to get her, even in those early days, to give evidence that the real cause of the war was that the democracies wanted to destroy communism in Russia.

"Of course", she said, "I had no such evidence."

"So", she said, "finally I refused to testify to that because I didn't know anything about it anyway. So they brought me up in this room with a Russian Komissar and nine Russian soldiers."

He said, "Now are you going to testify that the democracies are now plotting to destroy Russia?"

And she said, "No, I won't testify to any such thing."

He said, "We are going to show you what is going to happen if you don't."

So they brought up a Polish girl of 16 and said, "Are you going to become a Communist?", and she said she could not become a Communist, that she was a good Catholic.

So he gave the signal, and these Russian soldiers, one after the other attacked her and left her unconscious on the floor.

He said, "Now, this is what is going to happen to you if you don't tell us what we want to know."

The next day down in the dungeon they brought in beautiful gold ornaments that belonged to the Czar and offered her that as a bribe to tell. She refused that.

A few days later Germany attacked Russia and she was released and made her way to the Turkish border.

That is a true story about Prince Mirsky and his wife.

While the Americans at home were reading Mission to Moscow, I was hearing people tell similar stories to Mirsky's, hundreds of them, Jews and Gentiles, Mohammedans and everything else, refugees from Russia's other slave labor camps, about the terrible situation in Russia.

Mr. O'KONSKI. While you were on the scene over there, Governor, there never was any evidence, by any agency of our Government, intelligence, State, executive, there was never any effort of any nature, manner or form, or shape whatsoever to try to get from you what you knew about the kind of people the Russians were; there never was any such effort made?

Mr. EARLE. Never. I went down steadily in standing the more reports I put in against them.



Mr. O'KONSKI. As a matter of fact, when you volunteered information as to the nature and the long-range plan that the Russian Communists actually had, you were discouraged from using it and told to change your opinions about them, were you not?

Mr. EARLE. Absolutely.

Now, gentlemen, that letter there is the most interesting letter on communism.

May I tell you one other thing which will show what I think is the most interesting thing that happened to me in my whole life—in any part of my career.

In 1943, early in 1943, Admiral Wilhelm Canaris, the great Chief of the German Wehrmacht, the great Chief of the German Military Intelligence, was always our friend. He saved Churchill from assassination. He notified the Low Countries of their invasion before it happened.

Finally, Hitler caught up to him, and 2 weeks before Hitler committed suicide he had him tortured to death by the S. S. in a prison camp.

Canaris came to me in early 1943 and he said to me:

The German Army hates the Nazi leaders. They dislike Himmler; they hate Ribbentrop, and the whole crowd. Now, we will take over control and we will surrender to the allies unconditionally, except with one condition. We will turn over to you everything. You can punish the Nazi leaders as you see fit.

Now, all this, gentlemen, you will find in a book by Ian Calvin, an Englishman I never saw. It is published by McGraw-Hill. Master Spy. It is a biography of Canaris.

He came to me and made this offer, on one condition:

You can take the Nazi leaders and execute them, punish them, anything you please. You can do with us anything you want. We just ask one condition, that you keep the Russians out of Eastern and Central Europe and you can use the German Army to do it.

I thought it was the most wonderful proposition I had heard. And I sent it to the President by pouch and every possible means I possibly could. That was again one of the letters to which I never had an answer.

Steve Early later told me President Roosevelt had received it and said there shall be nothing but unconditional surrender. I often think of where we would be today if we had accepted the proposition.

Mr. MITCHELL. Governor Earle, during the course of investigation by this committee, I would like you to know that Congressman Flood and I talked to Canaris' secretary in Germany last year and asked her if she knew where we could find any of the records in connection with the Katyn episode, the German records. She told us all those German records had fallen into the Allied Powers' hands.

We subsequently found those records in the Allied Powers' hands in London, and they all have been made a part of the record of this committee. You can find them in part 5 of the hearings of this committee.

I have no further questions, Mr. Chairman.

Mr. EARLE. What I stated about Canaris had nothing to do with Katyn.

Mr. MITCHELL. That is right.

Mr. O'KONSKI. Governor, I have one more question.

If you had subjected yourself and followed the pro-Communist line instead of the anti-Communist line, do you suppose you could still be in the ambassadorial service?

Mr. EARLE. I can only tell you that my former secretary, Harry Kalodner, now judge in the United States circuit court of appeals, told me that when I returned in 1946 and made that terrific blast about Russia, he told me that if I had not made it I would have been given an ambassadorship immediately. That is Harry Kalodner, a leading Democrat of Pennsylvania, and one whom all the Democratic Party in Pennsylvania follow because he is very able and shrewd and honest; that is all I know.

Mr. O'KONSKI. The basis on which Ambassadors were selected was whether they were pro-Soviet or anti-Soviet.

Mr. EARLE. There certainly could not be an Ambassador who was anti-Soviet in the last two administrations.

Mr. O'KONSKI. It is fantastic. One wonders why they do not already control the world.

Mr. SHEEHAN. In the hearings before this committee it has been brought out by various officials of the State Department that one of the reasons for our particular line during those years was, as the State Department and other officials said, that they were continuously afraid that maybe Russia and Hitler would strike up a peace arrangement and decide to end the war and leave us in the middle.

From your experience, from where you were, what do you think of that proposition?

Mr. EARLE. I think, gentlemen, my thoughts go into very vulgar slang when I think of such a proposition.

Do you mean to tell me that even Stalin, after the dreadful punishment the Germans had given him, could possibly have switched sides with his people? It would have been absolutely impossible.

Hitler in his fanaticism against the Communists would not have thought of such a thing, and I do not think Stalin could have swung his people to go over to the Germans again after the terrible slaughter they had taken.

Don't forget this, gentlemen, that Germany took two-thirds of Russian industries. They killed several millions of men. They took half of Russian European territory, and they administered it. How could they possibly have ever hit on such a ridiculous, fantastic thought, that they could ever have patched it up after that had happened?

Mr. SHEEHAN. What did the Europeans think of that idea outside of yourself?

Mr. EARLE. I never heard any European express such a possibility.

Mr. SHEEHAN. It is my understanding—is that not right, Mr. Counsel—that the State Department people, when they were before us, always held that out before us.

Mr. MITCHELL. I believe Mr. Sumner Welles yesterday, and Mr. Averell Harriman contended that way; yes, sir.

Chairman MADDEN. Are there any further questions?

Thank you for appearing before us as a witness, Mr. Earle.

We will now hear our next witness, Arthur Bliss Lane.

**TESTIMONY OF ARTHUR BLISS LANE, WASHINGTON, D. C.**

Chairman MADDEN. Will you be sworn, please?

Do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth in the hearing now being held, so help you God?

Mr. LANE. I do.

Chairman MADDEN. State your full name for the reporter, please.

Mr. LANE. Arthur Bliss Lane.

Chairman MADDEN. And your address?

Mr. LANE. 2442 Massachusetts Avenue NW., Washington, D. C.

Chairman MADDEN. And what is your business?

Mr. LANE. I have no business at the present time, but I have been, since my resignation as Ambassador, engaged as a lecturer and a writer.

Mr. O'KONSKI. You are an unemployed anti-Communist.

Mr. LANE. That is right, sir.

Chairman MADDEN. Proceed, Mr. Counsel.

Mr. MITCHELL. How long have you been in the Foreign Service of the United States, Mr. Lane?

Mr. LANE. Thirty-one years.

Mr. MITCHELL. When did you first enter the service?

Mr. LANE. In 1916.

Mr. MITCHELL. What was your first appointment?

Mr. LANE. As secretary to the American Ambassador at Rome.

Mr. MITCHELL. What was your position in 1939?

Mr. LANE. I was Minister in Yugoslavia at that time.

Mr. MITCHELL. How long were you in that position?

Mr. LANE. I was there for 4 years, until 1941, when the Germans came in.

Mr. MITCHELL. Where did you go in 1941?

Mr. LANE. I came back home. After a few months in the Department, I was sent to Costa Rica as Minister.

Mr. MITCHELL. How long were you in Costa Rica?

Mr. LANE. Just about 3 months. And then I was appointed Ambassador to Colombia.

Mr. MITCHELL. How long were you in Colombia?

Mr. LANE. About 2 years and a half.

Then I was appointed Ambassador to the Polish Government in exile in London, but I never arrived there.

Mr. MITCHELL. What was the specific date, if you recall?

Mr. LANE. I think my appointment was September 21, 1944.

Mr. MITCHELL. Your appointment to the Polish Government in exile?

Mr. LANE. That is right.

Mr. MITCHELL. Why did you not arrive there?

Mr. LANE. Because there was disagreement at that time among the Big Three as to what the disposition of Poland was to be.

Mr. MITCHELL. Had you been confirmed by the Senate?

Mr. LANE. Yes; I had been.

Mr. MITCHELL. This was September 1944?

Mr. LANE. 1944. And I remained in Washington then until I actually left for Poland on July 5, 1945.

Mr. MITCHELL. During the period that you were in Washington, I assume you were working in the Department of State?

Mr. LANE. Yes.

Mr. MITCHELL. In your briefing to assume your position as United States Ambassador to the Polish Government in exile, what were you informed concerning the Katyn massacre?

Mr. LANE. The only document that I was able to see was the report that came from the American Embassy in Moscow, which had been prepared by Miss Harriman.

Mr. MITCHELL. During the course of time from September 1944 until you departed in July 1945, did you, of your own personal knowledge, not official, find out anything about the Katyn massacre, and, if so, from whom, and when?

Mr. LANE. I did not find anything except that one report, although I endeavored to find out if there were any files in the Department of State on that subject.

Mr. MITCHELL. Did you ever talk to the Polish Ambassador here about the subject, Ambassador Ciechanowski?

Mr. LANE. Yes, I did.

Mr. MITCHELL. When?

Mr. LANE. I cannot exactly recall the date, but it was obviously between September 1944 and the spring of 1945.

Mr. MITCHELL. There was a Mr. Durbrow in the Department of State, I believe, at that time. He was the man in charge of the Polish desk at that time. Did you discuss the Katyn massacre with Mr. Durbrow?

Mr. LANE. Yes, I did.

Mr. MITCHELL. Did you ask him to let you see any reports that may have come in on it?

Mr. LANE. Yes. And I am certain if he had those reports he would have let me see them.

Mr. MITCHELL. Does it not strike you as rather strange that the head of the Polish desk in the State Department between the period September 1944 and July 1945 had not received or seen any reports on the Katyn massacre, when this committee this last week has laid on the record many reports dating way back to 1943?

Mr. LANE. Of course, it surprised me.

Mr. MITCHELL. What briefing did you receive from State Department officials concerning the Katyn massacre before you departed in July 1945?

Mr. LANE. No briefing at all, except that one report by Miss Harriman.

Mr. MITCHELL. That is the only thing you saw on the Katyn massacre?

Mr. LANE. As far as I can recall at this date.

Mr. MITCHELL. I believe you saw Mr. Mikolajczyk in Potsdam in July 1945; is that right?

Mr. LANE. I did.

Mr. MITCHELL. Did you discuss the Katyn massacre with him at that time?

Mr. LANE. No, I did not, because I did not have a private conversation with him. There were other people present.

Mr. MITCHELL. He was not an official of the government in exile at that time, was he?

Mr. LANE. He was an official in the new government.

Mr. MITCHELL. When you reached Warsaw, which I believe was around August 1945—

Mr. LANE. 31st of July.

Mr. MITCHELL. At that time, what information did you find out about the Katyn massacre?

Mr. LANE. I obtained some information from people who had formerly been in the underground, and they were the ones who first gave me definite information as to what had happened at Katyn.

Mr. MITCHELL. When you say formerly in the underground, do you mean the underground of the Polish Government in exile?

Mr. LANE. Yes. In other words, I knew that they were anti-Communist.

Mr. MITCHELL. What were their reactions to the Katyn massacre?

Mr. LANE. They felt that the Russians had been responsible.

Mr. MITCHELL. Mr. Chairman, at this time I would like to introduce exhibit No. 29.

Chairman MADDEN. Very well, that will be received for the record. (The document referred to was marked "Exhibit No. 29," and is as follows:)

EXHIBIT 29—AMBASSADOR LANE'S LETTER TO MR. JUSTICE JACKSON AT NUREMBERG,  
SENT FROM THE UNITED STATES EMBASSY IN WARSAW, DECEMBER 16, 1945

[Telegram]

DECEMBER 16, 1945.

Secretary of State, Washington.

Berlin : Justice Jackson at Nuremberg.

I understand from sources here which are unfriendly to the Soviet Government that the Katyn Forest Massacre of Polish officers may be brought up by German War Criminals at Nuremberg. According to other sources this massacre may have been carried out by both Germans and Russians working together in period of Nazi-Soviet honeymoon. Poles, even those opposed to present Government are very apprehensive about this information being made public since as they see it, it can only work to increase anti-Polish feeling on the part of the Soviet Government.

(Signed) LANE.

Mr. MITCHELL. This is a paraphrase of the dispatch you sent from Warsaw to the Secretary of State, to the attention of Justice Jackson at Nuremberg.

Do you recognize that dispatch?

Mr. LANE. No, I don't. I frankly don't recall that dispatch.

But may I read a report that I have got, which was before this?

Mr. MITCHELL. We will delay putting that in the record right now.

Mr. LANE. I frankly don't recall. But if that was furnished by the State Department, I don't deny its authenticity.

Mr. MACHROWICZ. So that there will be no question, will you have Mr. Brown take the stand and identify that?

Mr. Brown, would you mind identifying that?

You have been previously sworn and you will not have to be sworn again.

# TESTIMONY OF BEN H. BROWN, JR., ACTING ASSISTANT SECRETARY OF STATE FOR CONGRESSIONAL RELATIONS—Resumed

Chairman MADDEN. For the record, will you state your name, please?

Mr. BROWN. Ben H. Brown, Jr.

Chairman MADDEN. And your address?

Mr. BROWN. 3501 North Edison Street, Arlington, Va.

Chairman MADDEN. What is your assignment?

Mr. BROWN. Acting Assistant Secretary of State for Congressional Relations.

Chairman MADDEN. Handing you exhibit 24, can you identify that?

Mr. BROWN. Mr. Chairman, I identify this as a paraphrase of a cablegram in the files of the State Department, which was directed to Mr. Justice Jackson in Nuremberg and repeated to the Department in Washington.

Mr. MACHROWICZ. A cablegram from whom?

Mr. BROWN. It is signed "Lane."

Mr. MACHROWICZ. From where is it?

Mr. BROWN. From our Embassy, Warsaw.

Mr. MACHROWICZ. What is the date?

Mr. BROWN. December 16, 1945.

Mr. MACHROWICZ. Who was Ambassador to Poland at that time?

Mr. BROWN. I have no personal knowledge of that, sir, but Mr. Lane has just testified he was.

Mr. LANE. I was Ambassador, yes.

Mr. DONDERO. Mr. Brown, for the benefit of the committee, will you tell us what you mean by paraphrasing a cablegram?

Mr. BROWN. Well, sir, classified cablegrams come in code, and when they are decoded, the decoded telegram, if it got into the hands of someone who was not entitled to it, would be of assistance in breaking the code had the coded message been intercepted.

So a paraphrase of a telegram is a rearrangement of the wording, a use of synonymous terms at times, in order to convey the same message, but not in the same language as the coded message.

The purpose of it is to prevent a break in the code.

Mr. MACHROWICZ. But the text is the same. In other words, there is no change in the text?

Mr. BROWN. That is quite correct, sir.

Chairman MADDEN. We will now go back to Mr. Lane.

#### TESTIMONY OF ARTHUR BLISS LANE—Resumed

Mr. MITCHELL. Did you want to read a statement?

Mr. LANE. Yes, if I might, Mr. Counsel.

This is a letter which I wrote to H. Freeman Matthews, who was at that time Director of the Division of European Affairs in the Department of State, on November 5, 1945. As far as I know, this is the only report I made to the State Department on Katyn, with the exception of this telegram.

Mr. MITCHELL. Is this an official report?

Mr. LANE. It is a personal letter, and I was particularly anxious to send it in a personal letter to him because I did not want to endanger the lives of my informants, although I did not mention them.

Mr. MITCHELL. Are you going to mention names now?

Mr. LANE. No. I would rather not.

Mr. MITCHELL. If you do not know where the individuals are—

Mr. LANE. The individuals are in Poland, and I think they are in prison at the present time. May I give it to the committee?

Mr. PUCINSKI. Do you have the names in there?

Mr. LANE. The names were never in this letter.

Chairman MADDEN. That will be marked "Exhibit 30" and it will be accepted in evidence.

(The document referred to was marked as "Exhibit No. 30" for identification, and is as follows:)

EXHIBIT 30—AMBASSADOR LANE'S LETTER TO STATE DEPARTMENT OFFICIAL

[Extract from letter to H. Freeman Matthews, Director, Office of European Affairs,  
Department of State]

THE AMERICAN EMBASSY,  
Warsaw, Poland, November 5, 1945.

Top secret.

DEAR DOC: \* \* \* I have some information now from a reliable source who formerly worked in the Polish underground which throws considerable light on the foregoing questions (I—who was really responsible for the murder of thousands of Polish officers in Katyn forest) \* \* \*.

I. *Katyn Forest*. My informant was an officer in a Polish cavalry regiment in the east of Poland in 1939. This detachment had been able to avoid capture by the Germans but during the last week in September they came upon the advancing Soviet troops which were marching westward. According to my friend, the Soviets greeted the Poles as though they were allies but at the same time requested them to travel eastward with them, taking their horses with them, the Soviets retracing their steps. Before doing so, however, the Polish officers were disarmed. Every morning the Polish officers were told that they would arrive at their final destination later during that day. This assurance was, however, repeated day after day until they had traveled east for two weeks. By this time many of the Polish officers had become suspicious of what their final fate would be and some of them, including my friend, escaped and returned to the west. My friend said that there is no doubt in the minds of his former colleagues and himself that the Soviet authorities and *not* the Germans were responsible for the murder of the Polish officers at Katyn forest, which was the final destination of the group of captured officers. Unfortunately, it is very difficult to persuade the Poles in general to discuss the Katyn forest episode, due to their apprehension of the consequences.

\* \* \* \* \*

Yours as ever,

[s] ARTHUR BLISS LANE.

Mr. MACHROWICZ. Mr. Ambassador, I am personally satisfied that you have always felt that the Russians were guilty of this offense.

Frankly, I am mystified by this telegram of December 16. Do you have any explanation for it?

Mr. LANE. I don't recall why I sent that telegram, unless it was that somebody who was anti-Communist persuaded me to do it. And I really do not recall if—

Mr. MACHROWICZ. I would hardly believe that you, the author of the book *I Saw Poland Betrayed*, was swayed by Communists.

Mr. LANE. Oh, I was not swayed by Communists.

Mr. MACHROWICZ. Did you say anti-Communists?

Mr. LANE. Yes.

Mr. MACHROWICZ. Do you remember that in the book which you wrote, *I Saw Poland Betrayed*, and in the article which you published in the *American Legion* magazine, entitled "The Truth About the Katyn Forest Massacre," you made this query, this being in your article:

Who manipulated the techniques of the 1946 Nuremberg trials when the Van Vliet, Stewart, and other evidence was available so that no Soviet crime or criminal was punished, so that the crime of Katyn, the greatest single mass execution of captives of the entire war, was never even mentioned in the tribunal's verdict?

Why, then, did you send a message to Justice Jackson not to bring the matter up at the Nuremberg trial?

Mr. LANE. I did not tell him not to bring it up. I merely expressed the opinion that had been given to me. I merely passed on this recommendation.

And I frankly don't recall now who made the recommendation to me.

Mr. MACHROWICZ. I will just repeat this again to you:

I understand from sources here which are unfriendly to the Soviet Government that the Katyn Forest massacre of Polish officers may be brought up by German war criminals at Nuremberg. According to other sources this massacre may have been carried out by both Germans and Russians working together in period of Nazi-Soviet honeymoon. Poles, even those opposed to the present government—

That is the present Soviet-dominated government, am I right?

Mr. LANE. Yes.

Mr. MACHROWICZ (continuing):

are very apprehensive about this information being made public since as they see it, it can only work to increase anti-Polish feeling on the part of the Soviet Government.

I can construe this telegram only as urging Justice Jackson not to present the evidence against the Soviets at the Nuremberg trial. Can you construe it any other way?

Mr. LANE. My understanding was that I always felt that it ought to come out. I knew that the Polish Communist government did not wish to have it come out.

Mr. MACHROWICZ. But what was your purpose in sending this message?

Mr. LANE. I cannot remember now, after all these years, and I would want to see the original of the telegram and not a paraphrase before giving an opinion on that.

Mr. O'KONSKI. Was it possible that somebody else from your office could have sent that telegram and signed your name?

Mr. LANE. It is very possible someone else may have sent it.

Mr. O'KONSKI. But you are definitely assured that that telegram does not in any way express what your feelings were at that time, or your official actions?

Mr. LANE. No. My feelings were expressed in the letter which I read to the committee. It is quite possible I may have been out of town. That was around Christmas and the telegram may have been sent in my name.

Mr. MACHROWICZ. Would a telegram of this nature be sent under your name in your absence, without your being notified about it?

Mr. LANE. I should have seen it, of course. I don't want to disclaim responsibility for the telegram.

The only thing I want to disclaim responsibility for is the fact that I was opposed to having the truth come out.

Mr. MACHROWICZ. Is it possible, Mr. Lane, that at the time you sent the telegram, you were opposed to the matter being brought up at Nuremberg, and then you subsequently changed your mind?

Mr. LANE. No, I was not. I was just repeating the information that came in.

Mr. MACHROWICZ. What was the purpose of repeating it?

Mr. LANE. My duty as Ambassador was to turn in any information that came to me. I did not make any recommendation to Justice Jackson.



Mr. MACHROWICZ. To attempt to convince Justice Jackson the testimony should not be presented?

Mr. LANE. I wasn't trying to convince him. I was merely acting as a reporter, reporting the information I received.

Mr. MACHROWICZ. Is that information true, that the Poles opposed to the Soviet Government did not want the matter presented at Nuremberg?

Mr. LANE. If I reported that, that information must have come to the Embassy.

Mr. MACHROWICZ. Do you not remember now whether it was true?

Mr. LANE. I do not recall after all these years.

But what I do recall, because I have it in my files, is the views I expressed to Mr. Matthews.

Mr. MACHROWICZ. Do you recall that in your book you mentioned the fact that the Poles were very much incensed over the fact that the massacre was not presented properly at Nuremberg?

Mr. LANE. Yes. That telegram I sent was a long time before this came up.

Mr. MACHROWICZ. That is what I meant. Probably you changed your mind subsequently.

Mr. LANE. I did not change my mind. I was merely reporting the facts, the information which came to me, because I reported much information to Washington that I did not agree with.

For instance, I disagreed with what some of the Polish Government authorities told me. I naturally reported that to Washington in an objective way.

Mr. MACHROWICZ. The only reason I ask these questions, Mr. Lane, is that I know you have been very critical of the appeasement policy toward Poland.

Mr. LANE. I have been.

Mr. MACHROWICZ. And this is entirely out of harmony with what you professed subsequently?

Mr. LANE. Excuse me, Mr. Machrowicz, with all due respect to you, I would like to emphasize that that is not an expression of my view. It is merely a reporting telegram, because an ambassador's chief function is to report to his government what he hears, and even though he may not agree with what he hears, he is supposed to report it.

Mr. MACHROWICZ. But in your book you said you heard just the opposite. You heard that the Poles were very apprehensive that the matter was not presented properly at Nuremberg.

Mr. LANE. Undoubtedly, I must have made other reports to the Department in 1946 when it did come up at Nuremberg.

Mr. MACHROWICZ. That is all.

Chairman MADDEN. Mr. Dondero.

Mr. DONDERO. Mr. Ambassador, if in any way you misunderstood the motives, you had a large company following you in misunderstanding the motives of the Russians in this entire episode. I have just two questions I want to ask you. How long were you in Warsaw, Poland?

Mr. LANE. I was there from July 31, 1945, until February 24, 1947.

Mr. DONDERO. Did the State Department give you any information whatever that they had some statement on record regarding the Katyn Forest massacre?

Mr. LANE. No; they did not.

Mr. DONDERO. What information did you get from the underground in Poland, that is, the element working against Russia?

Mr. LANE. Well, this was the underground that had been working against the Germans and which was being disarmed by the Russians in 1945 and 1946.

Mr. DONDERO. Is that the information that was included in that telegram?

Mr. LANE. No; not the telegram. In the letter.

Mr. DONDERO. The letter which you read?

Mr. LANE. Yes.

Mr. DONDERO. Were you personally at Katyn Forest?

Mr. LANE. No; I never was.

Mr. DONDERO. That is all.

Chairman MADDEN. Mr. O'Konski.

Mr. O'Konski. You would not have any recollection, Ambassador, would you, that that telegram in question was sent initially by you, of your own volition, or whether some such report was asked of you?

Mr. LANE. I don't think any report was asked of me; and, as I say, I had forgotten completely that the telegram had been sent.

Mr. O'Konski. Before you went as Ambassador to Poland, you were briefed—were you not?—by the State Department.

Mr. LANE. I was given access to the files which were in the Division of Eastern European Affairs.

Mr. O'Konski. And during all that time the question of what happened to 10,000 to 15,000 Polish officers was still very hot, but nowhere down the line was any indication given whether in briefing you, and giving you information, to give you what information was already on hand in Government sources in the United States; was there?

In other words, they kept you absolutely blind about the whole proposition; did they?

Mr. LANE. I had no information whatever except that one dispatch from Miss Harriman.

Mr. O'Konski. Who gave you that dispatch?

Mr. LANE. That came through the Eastern European Division and, as a matter of course, it came to my attention.

Mr. O'Konski. Of course, the Harriman report pins the responsibility on the Germans.

Mr. LANE. On the Germans; yes.

Mr. O'Konski. And that is the only report that they gave you?

Mr. LANE. That is the only report that I got.

Mr. O'Konski. They never gave you any report of any nature that other American officials had prepared, or any other documents that were in existence which would show the opposite? The only one that they gave you was the Harriman report?

Mr. LANE. That is correct.

Mr. DONDERO. I have this one short comment. Our opposition to this Government and our Government's policy of appeasement toward Russia seems to have been pretty well developed, in view of the facts that have been developed since this committee has been set up.

Mr. LANE. That is right, sir.

Mr. O'Konski. Ambassador, if you had swung in line and acted in the direction of pro-Soviet tendencies in the administration of your

ambassadorial post, do you still think that you might have been an Ambassador?

Mr. LANE. It is quite possible, but that is purely speculative. I felt certain that I would have to resign when I opposed the loan of \$90,000,000 to Poland or to the Polish Government, rather.

Mr. O'KONSKI. Have you ever started to organize in America an Association of Anti-Communist Ambassadors?

Mr. LANE. No; I have never thought of that, but we did the next best thing. We organized a private committee to investigate the Katyn massacre.

Mr. O'KONSKI. Yes; and you are to be very highly complimented for that. In that respect, while we are on this record, I think this ought to be cleared up, because the opposition very naturally takes every opportunity they can. Will you tell us, Ambassador, how this organization in the United States years ago got started in investigating the Katyn Massacre, long before Congress got busy on it? Give us a bit of the history. It has a bearing on this.

Mr. LANE. The person who initiated the investigation or the committee was Mr. Julius Epstein, who is right here at my right. He approached me in the summer of 1949 and asked whether I would act as chairman of a committee to investigate the massacre.

Mr. Epstein had been making very careful research and, on the basis of what he had, we felt we had enough information to warrant going ahead. Let me say that this committee was completely non-partisan. We had Democrats and Republicans, Catholics, Jews, and Protestants on the committee.

We had our first meeting in November 1949 in New York City. The press was admitted. We had quite a number of difficulties in organization.

First of all, there was a lack of funds, and, of course, we didn't have any power of subpoena.

Mr. O'KONSKI. In that connection, I wish you would also clear something up so that no reflection will ever be cast on the work of your committee. What was the source of your funds?

Mr. LANE. We got the funds from the Polish-American Congress, and also—

Mr. O'KONSKI. Is that the organization headed by Charles Rozworek?

Mr. LANE. Yes. Also, we got funds from the National Committee for a free Europe. Also, we got some personal contributions from private individuals.

Mr. O'KONSKI. But you got no funds whatsoever, no financial help whatsoever, from any so-called Fascist or Nazi organization?

Mr. LANE. None whatever.

We had difficulty in organizing because we weren't able to get a legal subcommittee formed. I approached several very prominent people like Justice Roberts and John W. Davis, to see if they would take over the chairmanship. But, unfortunately, that fell through.

Finally, Mr. Epstein and I approached Members of Congress and interested them in the matter.

I think all that we really accomplished was to stimulate an interest in Congress regarding the importance of bringing out the truth. Also, I may say that I have been making many speeches during the last 3 years, trying to bring the facts before the American people.

I think that the most important thing, if I may say so, gentlemen, that your committee has accomplished is to educate the American public on the danger of communism and the horrible methods employed by the Communists.

Mr. O'KONSKI. That is all I have.

Mr. SHEEHAN. Mr. Lane, I have a couple of questions with reference to the organization of your committee, and you might shed some light on it.

It has been rumored that, when your committee was organized and you were receiving money to operate, you went to the Bureau of Internal Revenue of the Treasury Department and tried to get an exemption on the basis that you were an educational institution. What was the position of the Treasury Department?

Mr. LANE. The answer was—from the Commissioner, whose name, I think, was Schoeneman—to the effect that our request was denied because it had no educational value. Our reply to him was that, to my mind, was the most cynical letter I had ever seen written by an official of the United States Government.

Mr. SHEEHAN. Did any similar organization get a tax exemption?

Mr. LANE. Well, I suppose they did.

Mr. SHEEHAN. But you are guessing?

Mr. LANE. I assume that many other organizations get tax exemptions.

I have a photostatic copy of the letter written by Mr. Schoeneman, which I will be very glad to put into the record if the committee so desires.

Chairman MADDEN. We will receive it.

Mr. MITCHELL. That will be exhibit 26.

(The letter was marked "Exhibit 26" and received for the record.)

Chairman MADDEN. The letter has been placed in the record in order to complete the record.

Mr. SHEEHAN. I have one other question, Mr. Lane.

Mr. MITCHELL. Mr. Lane, would you suggest the subject of the letter?

Mr. LANE. It is a tax-exemption letter from Mr. Schoeneman.

Mr. O'KONSKI. While they were being denied exemption, many organizations labeled "Communist" by the Attorney General did have a definite tax exemption.

Mr. MITCHELL. For the purpose of the record, I would like to identify the document.

This is a letter from the Commissioner of Internal Revenue George J. Schoeneman, addressed to the American Committee for the Investigation of the Katyn Massacre, Inc. It is dated June 1, 1950.

That is all.

Mr. SHEEHAN. The sum and substance of that letter is that they were denied tax exemption; is that right?

Mr. LANE. That is right.

Mr. SHEEHAN. Some of the members of our committee, Mr. Lane, have been questioned about the Voice of America, in reference to the Lane committee; and I think that for the record we ought to straighten the matter out.

Our counsel tells me that we have a representative from the State Department in the room who will help straighten this question out.

Some members of our committee have been informed that the Voice of America had refused for quite a while to broadcast the findings of the Lane committee. This was after the organization was formed, and, say, in 1949 and 1950. Now, is that a true statement or not?

Mr. LANE. That is my understanding. I would prefer, however, if the committee would question Mr. Epstein on that, because he got the information directly.

Mr. SHEEHAN. That is up to the committee chairman.

Mr. LANE. My understanding was, of course, that the Voice of America did not, for a considerable period of time, broadcast our activities. Finally they did, but I am hazy as to the dates.

Mr. SHEEHAN. Mr. Counsel, perhaps if you have your State Department man here, he ought to clear up the record for Mr. Lane.

Mr. MITCHELL. Yes.

Mr. SHEEHAN. Will you have one here tomorrow?

Mr. MITCHELL. We have one here today, but do you want him on now?

Mr. SHEEHAN. No. When this witness has finished.

Mr. DONDERO. Mr. Ambassador, you devoted a considerable amount of time and effort to this subject of the Katyn massacre. Based on your own research work in regard to it, what is your opinion of the work of this committee in relation to the same subject?

Mr. LANE. I think the committee is to be greatly congratulated on what it has done, the painstaking way in which you have gotten your evidence, and the results of your findings.

Mr. DONDERO. That is all.

Chairman MADDEN. Are there any further questions?

We thank you, Ambassador Lane, for your testimony.

#### **STATEMENT OF JULIUS C. HOLMES, CARE OF AMERICAN EMBASSY, LONDON, ENGLAND**

Chairman MADDEN. Our next witness is Mr. Holmes.

Mr. Holmes, will you raise your right hand and be sworn?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HOLMES. I do.

Chairman MADDEN. Will you state your full name and address, please?

Mr. HOLMES. Julius C. Holmes, care of the American Embassy, London, England.

Chairman MADDEN. And your present position?

Mr. HOLMES. I am a member of the Foreign Service presently assigned as American Minister in London.

Chairman MADDEN. You may proceed, Mr. Counsel.

Mr. DONDERO. Before the counsel proceeds, Mr. Minister, I think you are the same gentlemen who was so extremely courteous and kind and helpful to us while we were in London, England.

Mr. HOLMES. Thank you, sir.

Mr. MITCHELL. Mr. Holmes, will you please tell the committee when you first entered the employ of the Foreign Service of the United States?

**Mr. HOLMES.** I first entered in April of 1925.

**Mr. MITCHELL.** What was your position at that time?

**Mr. HOLMES.** I was commissioned as a Foreign Service officer, classified. I was sent to my first post as vice consul to Marseilles, France.

**Mr. MITCHELL.** Where were you on September 1, 1939?

**Mr. HOLMES.** I was in New York City.

**Mr. MITCHELL.** With the State Department?

**Mr. HOLMES.** No; not with the State Department, not with the Foreign Service.

**Mr. MITCHELL.** When had you left the Foreign Service?

**Mr. HOLMES.** I resigned from the Foreign Service in October of 1937.

**Mr. MITCHELL.** Will you please tell the committee where you were on September 1, 1939?

**Mr. HOLMES.** I was in New York.

**Mr. MITCHELL.** In private business?

**Mr. HOLMES.** I was in New York as vice president of the New York World's Fair.

**Mr. MITCHELL.** When did you enter the armed services of the United States?

**Mr. HOLMES.** I first entered the armed services of the United States in 1918.

**Mr. MITCHELL.** I mean with reference to World War II?

**Mr. HOLMES.** In World War II, in February of 1942.

**Mr. MITCHELL.** Where were you assigned at that time?

**Mr. HOLMES.** I was assigned to the Combined Chiefs of Staff here in Washington, where I was executive officer.

**Mr. MITCHELL.** When did you take over the position of Assistant Secretary of State? I believe your title at that time was brigadier general.

**Mr. HOLMES.** I had in the meantime served in the Army from 1942, the early beginning of 1942, abroad, almost the whole time. Then, in January of 1945, I was ordered back to Washington and became Assistant Secretary of State. I think the date was the 29th of January.

**Mr. MITCHELL.** When did you first hear about the Katyn massacre?

**Mr. HOLMES.** I am not quite sure when I first heard of it. If you had asked me that sometime ago, I would have said, "When your committee began to work." I have since seen documents in the State Department which show that I had seen something about the Katyn massacre as early as May 1945.

**Mr. MITCHELL.** But, previous to May 1945, you can't recall ever having heard anything about the Katyn massacre?

**Mr. HOLMES.** Very vaguely. I no doubt heard of it. I was in the Army during that time, either in the Mediterranean or in England or in Normandy, and I do not remember when I first learned of it.

**Mr. MITCHELL.** General Holmes, this committee has previously heard—Minister Holmes, I should say—testimony from General Bissell. At that time we put in the record a letter of the 25th of May 1945 which was addressed to you by General Bissell. Have you seen that letter?

**Mr. HOLMES.** I have seen that letter.

Mr. MITCHELL. For the benefit of the committee, I would like to read the letter, if I may:

WAR DEPARTMENT GENERAL STAFF,  
MILITARY INTELLIGENCE DIVISION, G-2,  
May 25, 1945.

Brig. Gen. JULIUS C. HOLMES,  
*Assistant Secretary, Department of State,  
Washington, D. C.*

DEAR GENERAL HOLMES: A Lt. Col. John H. Van Vliet, Jr., Infantry, and a Captain Stewart, while prisoners of war at Oflag No. 64, are reported to have been given a letter by the Swiss protecting power, dated about October 1943, which asked them to reply to certain questions. The questions were:

1. Had Captain Stewart and Lt. Col. Van Vliet gone to Katyn?
2. How had they been treated?
3. Were any photographs taken?
4. Had they made a statement?

Colonel Van Vliet believes that a copy of this letter, together with his reply, are in the State Department's files. It is requested that this be verified and, if the records referred to are in the files of State Department, that copies be made available for the Assistant Chief of Staff, G-2.

Sincerely,

(Signed) CLAYTON BISSELL,  
*Major General, GSC, Assistant Chief of Staff, G-2.*

Have you ever seen this letter? Now did you see this letter on the 25th of May or the 26th of May 1945?

Mr. HOLMES. Presumably I saw it. I have no recollection of seeing it. I have seen the original. It was shown to me by officers of the State Department within the past few days.

Mr. MITCHELL. Were your initials on that original?

Mr. HOLMES. There is a stamp of my office on it. I don't think my initials are on it.

Mr. MITCHELL. Do you know the contents of the letter? The contents do not refer to the famous missing Van Vliet report. They refer only to how Captain Stewart and Colonel Van Vliet were treated.

Now, did you reply to that letter of the 25th of May 1945?

Mr. HOLMES. I have been shown in the State Department a copy of the reply, which I no doubt signed.

Mr. MITCHELL. Mr. Chairman, we have been provided with a copy of that letter. I would like to make it exhibit No. 31.

Chairman MADDEN. Will you identify it?

Mr. MITCHELL. This is General Holmes' reply to General Bissell of June 27, 1945.

Chairman MADDEN. It may be received as exhibit 31. Has the witness identified that?

Mr. MITCHELL. Have you identified this letter?

Mr. HOLMES. I have seen it, yes.

(The letter referred to was received for the record as exhibit 31.)

EXHIBIT 31—GENERAL HOLMES' LETTER OF JUNE 9, 1945, TO GENERAL BISSELL

JUNE 9, 1945.

Maj. Gen. CLAYTON BISSELL,  
*GSC, Assistant Chief of Staff, G-2, War Department,  
Washington, D. C.*

MY DEAR GENERAL BISSELL: The receipt is acknowledged of your letter of May 25, 1945, concerning the report that Lt. Col. John H. Van Vliet, Jr., and Captain Stewart while detained as prisoners of war at Oflag 64, received from the protecting power a letter dated about October 1943, seeking information

whether these officers had been required by the German authorities to visit Katyn. You ask the Department to verify whether a copy of such a letter, together with Colonel Van Vliet's reply thereto is of record in the Department of State.

The records of the Department reveal that in September 1943, and again in December of the same year, the American Legation at Bern was informed that reports reaching the Department indicated that Lt. Col. J. H. Van Vliet and Capt. D. B. Stewart, both of whom at that time were apparently detained at Oflag 9-A/Z, were being taken to Katyn. The Legation was instructed to request the Swiss to determine whether these officers actually had made the journey and, if so, to learn what kind of treatment was accorded them, whether they made any statement with regard to the Katyn affair and what use had been made of any statements made or any photographs taken at the time.

In February 1944, the Department was informed that Colonel Van Vliet and Captain Stewart had been transferred to Oflag 64, and that the Swiss inspector at the time of the next visit to that camp would endeavor to obtain the information desired. No further communication regarding the matter has ever been received in the Department. In the circumstances it is considered likely that Colonel Van Vliet's reply may have been intercepted by the German authorities and never forwarded to the appropriate officials of the Swiss Government.

Sincerely yours,

JULIUS C. HOLMES, *Assistant Secretary.*

Mr. MITCHELL. Can you tell the committee, Mr. Holmes, briefly, the significance of the letter?

Mr. HOLMES. The letter recites the inquiry made by General Bissell and states that inquiry has been made twice of the protecting power for this information, that it was not in the files of the State Department, and ended by saying that it is therefore presumed that Colonel Van Vliet's letter had been intercepted by the Germans.

Mr. MITCHELL. You are correct in that interpretation of the letter.

Now, Mr. Chairman, last Friday I had delivered to me copies of the original letters, signed by Van Vliet and Stewart, on the 30th of April 1943, that is, by both of them, another one by a British officer by the name of Brigadier Nicholson, senior British officer who was in charge of the prison camp they were both in.

All that I would like to have Mr. Brown identify in this letter, and then ask that it be put in the record as an exhibit to show when it was received in the Department of State.

This letter comes from the Foreign Service of the United States of America, American legation at Bern, Switzerland, and is dated May 2, 1944. It is No. 8064.

The subject is, American interest in the German visit of American officers to Katyn.

It is addressed to the Honorable Secretary of State. May we place it in the record as exhibit 32?

Chairman MADDEN. Are you putting those into the record collectively?

Mr. MITCHELL. Yes; collectively. I don't think we have to read them all. We will read the Van Vliet report.

Chairman MADDEN. As exhibit 32?

Mr. MITCHELL. Yes, sir; as exhibit 32.

Chairman MADDEN. Is Mr. Brown going to identify them?

Mr. MITCHELL. Yes.

Chairman MADDEN. They may be admitted as exhibit 32.



(The letters referred to were marked "Exhibit 32.")

EXHIBIT 32—COLONEL VAN VLIET'S STATEMENT TO SWISS PROTECTING POWER  
REGARDING HIS TREATMENT AT KATYN BY THE NAZIS

THE FOREIGN SERVICE  
OF THE  
UNITED STATES OF AMERICA

RESTRICTED

Via Air Mail Pouch AMERICAN LEGATION

No. 8064 Bern, May 2, 1944

Subject: American Interests - Germany  
Visit two American officers  
to Katyn.

RECEIVED  
DEPARTMENT OF STATE  
MAY 24 AM 10 04  
IN THE  
COMMUNICATIONS  
SECTION

The Honorable  
The Secretary of State,  
Washington.

Sir:

I have the honor to refer to the Department's  
airgrams Nos. 339 of September 10, and 515 of De-  
cember 16, 1943, and to the Legation's airgram No.  
76 of February 10, 1944, regarding a report that  
Lieutenant Colonel J. H. Van VLIET and Captain  
D. B. STEWART, American officers, now detained at  
Oflag 64 in Germany, were to visit Katyn.

7/16-1142/3/2  
The Legation now desires to enclose, for the  
Department's information and records, a transla-  
tion of a note dated April 27, 1944, from the  
Swiss Foreign Office, which has as enclosures the  
following documents regarding the travel of Lieute-  
nant Colonel Van Vliet and Captain Stewart to  
Katyn:

- 1) Certified copy of letter dated April  
30, 1943, to the Commandant of Oflag  
IX A/2 from the Senior British Officer;
- 2) Certified copy of letter dated April  
30, 1943, to the Swiss Legation Berlin  
from the Senior British Officer at Oflag  
IX A/2;
- 3) Certified copy of order dated May 9,  
1943, issued by the German Commandant  
of Oflag IX A/2;
- 4) Certificate signed on March 24, 1944,  
by Lieutenant Colonel John H. Van Vliet  
and Captain Donald R. Stewart.

The

PS/EPm

Enclosure No. 2 to despatch No. 2064  
dated May 2, 44 from the American  
Legation, Bern.

No 288  
30 April 1943

To -  
The Commandant  
Oflag IX A/2

From - <sup>British Officer</sup>  
The Senior American Officer,  
Oflag IX A/2

Sir,

I have this day received an order that P.O.W.s No 12663  
LT COL STEVENSON, as a representative of the Dominions,  
and No 1884 LT COL J H VAN VLIET and No 1881 CAPTAIN  
DOR STEWART as representatives of the United States of  
America, are shortly to proceed to Katyn, to view  
certain matters there.

I asked, and was promised by Hauptmann HEYK, for  
the order in writing, for I would make it clear that no  
officer of the British Dominions or U. S. Forces would  
proceed there except under compulsion, as individuals or  
as representing others.

Accordingly, I enter a protest against their being sent.

I have the honor to be, Sir,

Your obedient servant,

(Signed) C. NICHOLSON Brigadier

Senior British Officer, Oflag IX A/2

A TRUE COPY

John H. Van Vliet Jr. O-20828  
Lt Col Inf USA

Enclosure No. 3 to despatch No. 8064  
dated May 4 from the American  
Legation, Bern.

No. 288

April, 1943

To:- Schweizerische Gesandtschaft,  
Abteilung Schutzmachtangelegenheiten  
Berlin W.5  
Pariser Platz 2

From:-  
The Senior British Officer,  
Oflag IX A/Z, Germany

Dear Sir,

I have this day received an order from the German authorities that POW No 12683 LT COL F F STEVENSON of the South African Forces and POW No 1384 LT COL J H VAN VLIET and POW No 1081 Capt D G STEWART of the U. S. Forces are shortly to proceed to LAMIN to view certain matters there, and I have been informed that they are being taken as representatives of the Dominion and U. S. Forces.

I desire to protest against this and would request you to inform the Governments of the United Kingdom, South Africa, and the United States of America, that compliance with the above order is due only to "Force majeure" and that, so far as this camp is concerned, collectively or individually, no question of representation can arise.

Yours very truly,

(Signed) C. NICHOLSON Brigadier

Senior British Officer, Oflag IX A/Z

A TRUE COPY

John H Van Vliet Jr. 0-20128  
Lt Col Int. USA

Enclosure No. 5 to Despatch No. 8064  
dated May 2, 1944, from American  
Legation, Bern.

TRANSLATION

(Excerpt)  
Rotenburg/F., May 9, 1943.

Commandant's Office  
of Oflag IX A/Z

Camp order No. 11, 1943.

1) .....

2) Transfer order to Katyn.

Pursuant to regulations of the German High  
Command issued by the Chief of prisoners of  
war, the following prisoners of war have been  
ordered to Berlin on May 10, 1943, in order to  
be transported from there to Katyn by plane:

- a) Lieutenant Colonel Stevenson, No. 12683  
(British)
- b) Lieutenant Colonel Van Vliet, No. 1584  
(American)
- c) Captain Stewart, No. 1581 (American)

They must present themselves with light luggage  
and a blanket on May 10, 1943 at 9.15 p.m. in  
room No. 136, to be examined before leaving.  
They will receive food for four days.

The transport leader has been instructed to carry  
with him the amount of 50 Reichsmarks to cover  
special needs of the prisoners of war. Settlement  
of the accounts will be made following return to  
the camp.

(signed) Dr. Bormann  
Major and Adjutant Commandant

Certified by:

(signed) D. Bormann  
Major and Adjutant Commandant

Prisoner of War Camp Oflag IX A/Z Rotenburg/F.,  
The Security Officer May 9, 1943.

The above mentioned camp order is to be left  
with the prisoner during search, if his name is  
mentioned therein.

(Signed) HEYL  
Captain and Security Officer

A TRUE COPY

(Signed)	(Signed)
John H. Van Vliet, Jr.	Donald B. Stewart
C-20828	C-23028
Lt. Col. Inf. USA.	Captain F.A.

GMG/hs



Enclosure No. 6 to despatch No. 8064  
 dated May 2/4 from the American  
 Legation, Bern. Oflag 64,  
 24 March 1944.

- - - F I C A T E

I certify that the following are true facts:

1. Over my protest I was ordered from Oflag IX A/2 Germany to Katyn. (Copy of German order and copy of protest attached).
2. Under guard I went from Oflag IX A-2 to Berlin where I was asked to give my parole not to escape during the trip to Katyn and return. I refused parole and was sent under guard to Smolensk by plane.
3. I was shown mass graves at Katyn and given opportunity to ask any questions I desired.
4. During the inspection of the mass graves (13 May 1943) German photographers took both still and moving pictures of the entire party including the armed guard.
5. I returned to Berlin and there remained in an Arbeits Kommando for approximately 8 days, and was then returned to Oflag IX A/2.
6. I was repeatedly asked for my opinion and refused to express it, saying "I will make no statements other than to my own military superiors in a neutral country or in the United States."
7. I was given copies of some still pictures of the inspection of the mass graves showing myself and the guard.
8. Hauptmann Bentmann stated to me on 19 May 1943 quote "no propaganda use has been made or will be made of the photographs and movies taken." unquote  
 I do not know if any use has been made of the pictures.  
 no
9. I have made/oral or written statement to any one at all concerning my opinion of the Katyn incident.
10. During the entire trip I was accorded the treatment due an Officer prisoner-of-war.

John H. Van Fleet Jr.  
 JOHN H. VAN FLEET, JR., C-2008  
 Lt. Col., Infantry

Donald B. Stewart  
 DONALD B. STEWART, C-23004  
 Capt. Field Artillery

Mr. MITCHELL. I would like to have Mr. Brown now identify when this document was received in the Department of State.

Mr. BROWN. Mr. Chairman, I identify this as a photostatic copy of a document in the files of the Department of State. It originated in the American legation, in Bern, Switzerland. It is dated May 2, 1944. It has a stamp indicating that it was received in the Department of State on May 24, 1944, at 10:04 a. m.

Mr. MITCHELL. Mr. Chairman, these documents which have just been identified by Mr. Brown were in the Department of State at the time General Bissell sent his request to Mr. Holmes. The letter of June 9 indicates that they were not available, or at least that they could not be found at that particular time.

Were you in error at that particular time, and can you explain it?

Mr. HOLMES. Apparently I was in error. The explanation that I

have received about it, which I understand has been given to the committee as well, from—

Mr. MITCHELL. One minute. Mr. Dondero and Mr. O'Konski and Mr. Sheehan heard the explanation in executive session on Monday afternoon.

Proceed, please.

Mr. HOLMES. Does the fact that it was an executive session prevent me—

Mr. MITCHELL. No; you go ahead and say anything you want. I just wanted to let the chairman know that.

Mr. HOLMES. Mr. Cahon, who drafted the letter for my signature, tells me that when General Bissell's request came in he sent one of his assistants to do the research and to try to find the report which General Bissell had asked for. The assistant who made the search came back and reported to him that it had not been found and that the report was not in the files of the State Department. He then drafted the reply which has been placed in evidence.

Now he says that he has discussed this with the assistant who made the search and who explains that she looked under a certain indicator for the file, which I believe was the number and the name of the prison camp where Colonel Van Vliet was held, and didn't find it. But it subsequently turned up in another file which was headed, "Prisoners of War, General."

He also pointed out to me that although this report did not turn up and the information that was given to General Bissell, that it was not in the State Department, was incorrect, the fact remained that much earlier this report had been sent to two officers in the War Department, one I believe, the Provost Marshal General, and the other being—I am not certain whether it was G-1 or War Crimes Division.

Mr. MITCHELL. In other words, these reports that we have now put on the record were in the War Department at the time you received this letter from General Bissell?

Mr. HOLMES. Yes.

Mr. MITCHELL. Proceed.

Mr. HOLMES. That is the whole explanation, Mr. Mitchell.

Mr. MITCHELL. Mr. Holmes, we have heard testimony from General Bissell as of last June 3. I believe I have given you the courtesy of reading that testimony.

Mr. HOLMES. You have.

Mr. MITCHELL. Would you like to make any comment on what you have read, or shall I proceed to ask questions?

Mr. HOLMES. Whichever is the most convenient.

Mr. MITCHELL. I would rather have you make the statement. Didn't General Bissell at that time indicate to this committee that he had a direct line of communication or squawk box connecting with your office?

Mr. HOLMES. He did. I think he referred to it as a gas line.

Mr. MITCHELL. That is right.

I believe General Bissell saw Colonel Van Vliet on May 22 or May 23 or May 24.

Chairman MADDEN. What year?

Mr. MITCHELL. 1945. At that time he indicated that he may have used the gas line to discuss the subject matter. Did he do so?

Mr. HOLMES. I have no recollection whatever that he did so.

Mr. MITCHELL. Did you ever receive personally or in any other way from General Bissell any information concerning what Colonel Van Vliet had told him at that time?

Mr. HOLMES. I have no recollection of having received any information from him on that subject.

Chairman MADDEN. Mr. Holmes, if you had, you would no doubt recollect it; isn't that true?

Mr. HOLMES. I should think so. I can't be absolutely certain, Mr. Chairman. After all, there has been a lapse of quite some time. If I had discussed the substance of this Van Vliet report, with the significance that was attached to it, I think it reasonable to suppose that I should remember.

Mr. MACHROWICZ. I think that in fairness to Mr. Holmes, it should be stated that General Bissell said that he had no positive recollection of having done so, but that he thought he might have.

Mr. HOLMES. Yes, sir; that is the way I read his testimony.

Mr. MITCHELL. Mr. Holmes, did General Bissell ever hand you any written document concerning, or rather labeled, "Top Secret" concerning Katyn, which was known as the Van Vliet Report?

Mr. HOLMES. No, sir.

Mr. MITCHELL. Did you during your period as Assistant Secretary of State, subsequent to May 25, 1945, ever personally discuss the Katyn case with him?

Mr. HOLMES. I have no recollection of ever discussing it with him.

Mr. MITCHELL. How long did you remain as Assistant Secretary of State?

Mr. HOLMES. Until August 17, 1945.

Mr. MITCHELL. By whom were you succeeded?

Mr. HOLMES. I was succeeded by Colonel McCarthy.

Mr. MITCHELL. Colonel McCarthy from G-2?

Mr. HOLMES. Yes. I am not certain that he was in G-2. I think he was in the secretary, General Staff.

Mr. MITCHELL. Secretary, General Staff. That is right. At this time I have no further questions.

Mr. MACHROWICZ. I have one question, Mr. Minister. Isn't it true that if General Bissell had sent you the original Van Vliet report, as has been inferred—he may have; it has never been said that he has, but he may have—wouldn't it have been receipted for by you and would not the receipt have been on file in General Bissell's office?

Mr. HOLMES. I should think so. With the evidence having been given me that it was classified as top secret—top-secret documents, in accordance with the regulations, always required a receipt at the time of delivery.

Mr. MACHROWICZ. As I remember, General Bissell said that he had no knowledge of any such receipt in his file, which to me would indicate that the report might not have been received by you.

Mr. HOLMES. That is my opinion.

Mr. MITCHELL. At that time you were a general in the Army?

Mr. HOLMES. No; I was not. I was Assistant Secretary of State at that time.

Mr. MITCHELL. Why was he addressing you as brigadier general?

Mr. HOLMES. I had ceased being a brigadier general of the Army just a while before, and he continued using the Army title.

Mr. MITCHELL. But you knew the Army regulations well enough to know that you always got a receipt for a top-secret document?

Mr. HOLMES. Yes, sir.

Mr. MITCHELL. In fact, those regulations had been promulgated sometime prior to that?

Mr. HOLMES. Yes.

Mr. SHEEHAN. Did you ever get a top-secret document without signing a receipt for it?

Mr. HOLMES. I don't believe I ever got a top-secret document, Mr. Sheehan, from another command, or another entity of the Government. Within our own office, yes.

Mr. SHEEHAN. And nobody would bring a document marked "Top Secret" bodily over and deposit it on your desk without taking a receipt for it?

Mr. HOLMES. That is right.

Mr. MITCHELL. Did your secretary maintain a list of top-secret documents that were both from within and without your Department and that came into your office?

Mr. HOLMES. She did. Whether that was a permanent record, I am not certain.

Mr. MITCHELL. But it was the usual custom to do that?

Mr. HOLMES. That is true.

Mr. MACHROWICZ. I think that for the record, Minister, it can be stated that there has been no attempt to cast any aspersions or reflections on you whatsoever, in your capacity. We are just trying to trace some missing documents, and you happen to have been employed in the channel where these things were passing through. We are trying to trace things down. That is our only purpose in having you here.

There is just one question that ought to be asked, and that is this:

You state in your letter that probably the reason why those documents from the Swiss protecting power have not been received is because they were very likely intercepted by the German authorities.

Did it not strike you that here was a report, presumably whitewashing the Germans of this atrocity, and did it not strike you that since this report from both Van Vliet and Stewart would whitewash the Germans, rather than accuse them of the crime, that there would be very little likelihood that they would intercept that kind of a document? Did that ever strike you?

Mr. HOLMES. I never considered it. It didn't strike me.

Mr. MACHROWICZ. You are confused. That is not the report.

Mr. MITCHELL. That was not the Van Vliet report.

Mr. MACHROWICZ. That is the subsequent report. The only Van Vliet report is not involved in this particular letter. Am I right in that, counsel?

Mr. MITCHELL. Yes. The situation and the facts at that time were the State Department, on its own initiative in 1943, September 1943, heard that both of these officers had been in Katyn. Consequently, they had asked the Swiss protecting power to ascertain if they had been there. The Swiss protecting power then came back with this document which I just read to everybody here, which specifically said that "I have made no oral or written statement to anyone at all concerning my opinion of the Katyn incident."

This letter is dated the 24th of March 1944.



This committee has already heard testimony that the first person that Colonel Van Vliet discussed this subject with was General Collins, who expedited his way home, and the next person was General Bissell. So the subject matter of the Van Vliet report could not have been considered at the time that Mr. Holmes wrote his letter of June 9. It was just concerning their treatment as prisoners of war.

Mr. PUCINSKI. Mr. Chairman, I would like to get some points straight here with regard to General Bissell's testimony, and, if you don't mind, Mr. Minister, to refresh your memory I will read to you a portion of his testimony. His testimony was taken on June 3 of this year here in Washington.

Mr. Sheehan asked a question, as follows:

General, in those couple of days here in May when Van Vliet was in and you said you had thought—

General BISSELL. May 22.

Mr. SHEEHAN. May 21 to 25—when you had talked to General Van Vliet, if I remember correctly, you stated you did phone, or you thought you phoned Holmes and Lyon in the State Department?

General BISSELL. Yes.

Mr. SHEEHAN. When you talked to any of these gentlemen or with Colonel Lantaff about the Van Vliet report, did the question come up as to the political implication of this report at any time?

General BISSELL. The only reason I would have mentioned it to him at all would have been the political aspect.

Mr. SHEEHAN. Did they agree with you it was vital?

General BISSELL. No discussion of the contents of the report at that stage.

Mr. SHEEHAN. You are talking about the political implications?

General BISSELL (reading): "There was a man here named Van Vliet, who arrived yesterday and who has information on the political matter, the Katyn massacre, that we will send to you as soon as we get through with it."

Mr. SHEEHAN. You did not discuss the conclusions?

General BISSELL. No. It was only incidental to the talk on the other matter. I remember the other matter quite well. I will be glad to give it to you in executive session, but it has no bearing on Katyn whatever.

Mr. SHEEHAN. This might steal a little thunder from my colleague over there. This morning, Congressman O'Konski asked you a question about whether or not any other documents had disappeared or were lost or strayed from G-2. I did not use the word "stolen" advisedly, because the Army uses the word "compromise." As I understand it from the MacArthur testimony, the eight colonels who sent a top-secret report from Japan or the Near East in which they tried to advise the administration of the danger of alining themselves with Russia in finishing off the Japanese war, I understand that report disappeared out of G-2. Is that right or wrong?

General BISSELL. Here is what I don't believe is fully understood, and probably it is just as well—

then he goes on.

Now, I was wondering, Mr. Minister, about this: General Bissell is rather certain here in his testimony that he did discuss with you the political implications of this neutral American officer's observations, and indictment.

Mr. MACHROWICZ. I think you are taking the testimony out of context. You will find later on that he was not certain.

Mr. PUCINSKI. In this particular instance I want to find out whether General Bissell is correct.

Mr. MACHROWICZ. In answer to my questions, he said he wasn't certain whether he discussed it.

Mr. PUCINSKI. In this particular instance he said he was reasonably certain.

**Mr. MACHROWICZ.** I know that General Bissell made various statements, and that at another time he thought he must have, but he wasn't sure he may have.

**Mr. MITCHELL.** Just a minute.

You have read the entire testimony in which your name was mentioned in connection with this?

**Mr. HOLMES.** I read the testimony that was sent to me by **Mr. Brown**, which I presume was selected, and I presume it is complete.

**Mr. MITCHELL.** It is complete. I can assure you of that. What is your comment on that testimony?

We have General Bissell one moment saying that he called you on his gas line, and said that he had something of political significance. The next time we have him saying that he thinks he may have, or that he doubts it. Could you give us your candid opinion?

**Mr. HOLMES.** Well, my opinion is simply this, **Mr. Chairman**: I have no recollection of ever discussing this matter with General Bissell at all, either on the gas-line, telephone or face to face. It is within the realm of possibility that we may have discussed it, but I do not recall it; but, if we had discussed the substance of this, with the implication which it has, I think now I would have remembered it.

**Mr. MITCHELL.** Not only "now" but you would have at that time?

**Mr. HOLMES.** That is correct.

So far as sending the report to me is concerned, it just seems very, very improbable that it ever came.

**Mr. MITCHELL.** Would you be the correct individual for such a report, a report of the nature of the Van Vliet report, to go to?

**Mr. HOLMES.** Yes; I would.

**Mr. MITCHELL.** With all of what you know today to be its political significance?

**Mr. HOLMES.** I should think so.

**Mr. PUCINSKI.** Can we find out, **Mr. Minister**—and you were an Assistant Secretary of State then?

**Mr. HOLMES.** That is right.

**Mr. PUCINSKI.** Can we find out from you here now what you think would have been its political significance if that report had become known on the 25th of May 1945?

**Mr. MITCHELL.** That would be his opinion.

**Mr. PUCINSKI.** Of course, it is an opinion, and we would like to have it.

**Mr. HOLMES.** It is a speculative question to ask, and I am afraid that my answer would not be very competent, because I have not read the Van Vliet report.

**Mr. PUCINSKI.** You are not the only one.

**Chairman MADDEN.** Let us see the political significance.

**Mr. PUCINSKI.** I would like to develop this point because it is very important, I think, in the course of this investigation. They were having trouble regarding the Polish situation in San Francisco at the time that the United Nations was being organized, and that was what—3 weeks before Van Vliet arrived in this country? It was April 25, 1945, to be exact, was it not?

**Mr. HOLMES.** I am not certain about that date. Presumably it was just about then.

**Mr. PUCINSKI.** And they were having difficulty on this Polish question in San Francisco?

Mr. HOLMES. Yes. But my knowledge of any difficulty on the Polish question at San Francisco was only incidental.

Mr. MITCHELL. You were not concerned with it?

Mr. HOLMES. I was not concerned with the San Francisco Conference except for the administration and the running of the Secretariat and setting it up.

Mr. PUCINSKI. Mr. Holmes, the theory on which the staff has been proceeding—and I am wondering whether you can throw some light on this—is that it is interesting that the Van Vliet report disappeared at a crucial time as this was. You have the San Francisco Conference, dealing with the United Nations. You had the 16 Polish officers interned in Moscow, who were going to join the so-called unity government, or provisional government, in Poland. You had the problem of recognition by the United States and Great Britain and the hope of getting some sort of unit, the recognition of the new provisional government in Poland on July 5, 1945.

Now, we have been proceeding along on the possibility that this report just didn't disappear along with thousands of other documents that disappear, and later are found to have been misfiled, because of its political significance.

Mr. Madden asked me a moment ago what I mean by "political significance," and I am now returning to that discussion.

What do you suppose this report would have meant had it become known at that time?

Mr. HOLMES. My opinion on that, Mr. Chairman, I don't think has very much usefulness.

In the first place, as I said a minute ago, I have not read the report. Also it was something about which I learned from reading the newspapers.

Chairman MADDEN. If you can answer the question, do so.

Mr. HOLMES. Whether or not a report from one officer on such a subject would have had some influence on political decisions that were made in San Francisco, I don't know, but I should not have thought that it would have great influence. The actual presentation of that report to the people concerned in San Francisco obviously would have had some influence on them, but my opinion is—since it has been asked—that it probably would not have changed the trend of events at that time.

Mr. MITCHELL. Thank you.

Mr. PUCINSKI. I have one more question, Mr. Minister. I don't know whether you are in a position to answer this question, but would you know why the State Department was trying in 1943 and 1944 to get an opinion from Van Vliet and Stewart—or rather, to learn how they were treated by the Nazis while they were taken to Katyn? Would you have an opinion on that?

Mr. HOLMES. No. I had no personal knowledge of this at the time. What inspired the inquiry of the protecting power I don't know.

Mr. PUCINSKI. Would you be in a position to tell us who in the State Department today would be in the best position to answer that question?

Mr. HOLMES. No; I just don't know. I have been out of the State Department a long time, and I don't know. That question should be asked, I think, of departmental officials.

Mr. PUCINSKI. All right.

**Mr. MITCHELL.** I have no further questions.

**Chairman MADDEN.** Are there any further questions?

**Mr. O'KONSKI.** Just one more word, Mr. Minister.

Your conjecture was absolutely right. If this report had been made public, it would not have altered the situation. If we had had 150,000 Polish officers murdered, not 15,000, it still would not have altered the situation, because there were certain definite foreign policies that we were following, and it would have not have affected the situation one iota. Saving Russia and not America was our guiding force.

**Chairman MADDEN.** Mr. Sheehan?

**Mr. SHEEHAN.** No questions.

**Chairman MADDEN.** Are there any further questions?

(There was no response.)

**Chairman MADDEN.** I wish to thank you, Mr. Holmes, for your testimony, and for your trouble in coming here. Your testimony has indeed been valuable.

**Mr. HOLMES.** Thank you very much, Mr. Chairman.

#### **TESTIMONY OF FREDERICK B. LYON, CARE OF UNITED STATES EMBASSY, PARIS, FRANCE**

**Chairman MADDEN.** Our next witness is Mr. Frederick B. Lyon.

**Mr. Lyon,** will you raise your right hand and be sworn?

Do you solemnly swear that the testimony you are about to give, will be the truth, the whole truth, and nothing but the truth, so help you God?

**Mr. LYON.** I do.

**Chairman MADDEN.** Will you state your full name, Mr. Lyon, please?

**Mr. LYON.** My name is Frederick B. Lyon.

**Chairman MADDEN.** And your address?

**Mr. LYON.** My address is: care of the American Embassy, Paris, France.

**Chairman MADDEN.** And your present title?

**Mr. LYON.** Consul general.

**Chairman MADDEN.** Will you proceed, Mr. Counsel?

**Mr. MITCHELL.** Mr. Lyon, when did you first enter the employ of the Foreign Service?

**Mr. LYON.** In December 1923.

**Mr. MITCHELL.** Where were you on September 1, 1939?

**Mr. LYON.** I was in Washington, I believe.

**Mr. MITCHELL.** Were you employed by the Department of State?

**Mr. LYON.** Yes.

**Mr. MITCHELL.** How long did you remain there?

**Mr. LYON.** I was here—well, may I go back just a bit to answer this?

I entered the Service in December 1923. I left the Foreign Service in 1933 and I was with the Department of Agriculture for 2 years. Then I went with the Golden Gate International Exposition in San Francisco as commissioner to foreign countries.

In 1937, also December, I came back into the Department, the departmental service, as opposed to the Foreign Service. That was for what is known as the departmental service, not the Foreign Service. I was then in the Department all of the time, from December 1937 till I came back into the Foreign Service. It was December, I believe,

of 1946, that I came back into the Foreign Service. I have been in the Foreign Service since that time.

Mr. MITCHELL. Were you in uniform when you were employed by the Department of State as an official there?

Mr. LYON. No; I was not in uniform.

Mr. MITCHELL. In other words, you were a civilian employee during the period roughly September 1, 1939, through 1946?

Mr. LYON. That is right.

Mr. MITCHELL. What was your official position in May 1945?

Mr. LYON. In May 1945, if I recall correctly, I was the Acting Director of the Office of Controls in the State Department.

Mr. MITCHELL. What was the function of that particular office, if you can state it to the committee, please?

Mr. LYON. That function was merely to supervise the over-all work of several divisions, one of which was the Division of Special War Problems.

Mr. MITCHELL. That is the Division that I would like to have you explain to the committee. Will you explain to the committee what that particular Division did? I don't believe you are are restricted today. You can talk freely about that now, can you not?

Mr. LYON. I believe so, sir.

Mr. MITCHELL. What I would like to have you explain to the committee is, What was the function of this Division?

Mr. LYON. Well, the function of that Division was largely the protection of American interests and American people abroad, but there was one other division that maybe you had in mind, that came under that.

Mr. MITCHELL. Will you name the other division? Let me tell you what I want.

Under your control and in your set-up at that particular time was a certain little room or something over there in the Department of State where a lot of papers came.

Mr. LYON. That is right.

Mr. MITCHELL. One of the functions of your office was to see that they were distributed within the Department of State, was it not?

Mr. LYON. That is true.

Mr. MITCHELL. That room included top-secret documents, all the way down to personal letters, practically, did it not?

Mr. LYON. Yes, indeed.

Mr. MITCHELL. But it was mostly concerned with what we call classified material?

Mr. LYON. That is true.

Mr. MITCHELL. You were there on May 22, 1945?

Mr. LYON. Yes, sir.

Mr. MITCHELL. In that position?

Mr. LYON. Yes, sir.

Mr. MITCHELL. You have heard Minister Holmes testify; have you not?

Mr. LYON. I have.

Mr. MITCHELL. You received the transcript of the record that was taken, from General Bissell on June 3, that is, the portion, at least, that concerned your interests?

Mr. LYON. Yes; I have seen that.

Mr. MITCHELL. Did you receive the Van Vliet report on or about May 22 or May 23 or May 24, 1945?

Mr. LYON. To the best of my recollection, I did not.

Mr. MITCHELL. But if that report was sent in the usual manner, that report would have, of necessity, come to your office; is that right?

Mr. LYON. That is correct. Either it would have come to Mr. Holmes as Assistant Secretary or it would have come to the Division of Foreign Activities Correlation.

Mr. MITCHELL. Let's assume that the report—although we have heard Mr. Holmes say that it did not—did come there. Would it have been recorded in your office?

Mr. LYON. Yes, indeed.

Mr. MITCHELL. In other words, if Mr. Holmes was to have received a top-secret document in his capacity, a record would have been made of it in your office?

Mr. LYON. That is right.

Mr. MITCHELL. I know that you have received many communications in the Department of State relative to the missing Van Vliet report, dating way back to, I think, 1949. Both the Inspector General of the Army and the Department of State at that time were trying to find the missing report, the Van Vliet report. Can you tell us something of what your replies to the Secretary of State were concerning the missing Van Vliet report in 1949 and 1950 or whenever they contacted you?

Mr. LYON. Right at the moment, I don't recall when I received a telegram asking me whether I had ever seen this Van Vliet report, to which I replied that I had no recollection whatsoever of it.

Mr. MITCHELL. In this office that you had control of at that time, did they ever receive a top-secret document for which no receipt was given?

Mr. LYON. To the best of my knowledge, no.

Mr. MITCHELL. Have you ever had any previous difficulty with any other document that has disappeared?

Mr. LYON. No, sir; not to the best of my knowledge.

Mr. MITCHELL. In other words, it was the customary practice that if a top-secret document were delivered to this office for dissemination to an individual in the Department of State, you always had a receipt for it?

Mr. LYON. Always.

Mr. MITCHELL. Then your office and you have not been in trouble on any other report?

Mr. LYON. Not to the best of my knowledge.

Mr. MITCHELL. In other words, the Department of State and no one else has asked you to justify—

Mr. LYON. No, sir.

Mr. MITCHELL. Mr. Chairman, I would now like to read for Mr. Lyon's benefit a letter which we have already put in the record, dated August 21, 1945. It is from General Bissel to Mr. Frederick B. Lyon. The letter is as follows:

Mr. FREDERICK B. LYON,

*Acting Director, Office of Controls,*

*Department of State, Washington, D. C.*

DEAR MR. LYON: Transmitted for the information and file of the State Department's report on Katyn, by Stanley S. B. Gilder, captain, EAMC, British medical

officer. This report supplements the statement of Lt. Col. John H. Van Vliet, Jr., forwarded to General Holmes 25th of May 1945, and generally substantiates all material fact of Lieutenant Colonel Van Vliet's report.

Sincerely,

CLAYTON BISSELL,  
Major General, GSC,  
Assistant Chief of Staff, G-2.

In the lower left-hand corner appears "Enclosure Dept." or report, "on Katyn, by Stanley S. B. Gilder, captain, EAMC."

Have you seen that correspondence?

Mr. LYON. Yes; I have seen it.

Mr. MITCHELL. Recently?

Mr. LYON. Just recently; yes.

Mr. MITCHELL. Were there attachments to that letter?

Mr. LYON. Well, if I recall, there was just one. The letter from this Captain Gilder, who was a doctor, if I recall a British doctor, was the enclosure.

Mr. MITCHELL. What was the subject matter of that? Would you like to see it to refresh your memory?

Mr. LYON. Yes; I would.

The subject matter, as I recall, was the recital of his visit to Katyn.

Mr. MITCHELL. As a prisoner of war?

Mr. LYON. As a prisoner of war; yes.

Mr. MITCHELL. Did it mention his observations at Katyn?

Mr. LYON. I don't recall that it did, actually.

Mr. MITCHELL. Would you like to read it hurriedly? If so, you may do so.

Mr. LYON. Yes. I went over this thing and, to the best of my knowledge, he did not actually give an opinion.

Mr. MITCHELL. I believe, to nail it right straight down—I have read that letter about half a dozen times myself—and to be quite frank with you, I can't see anywhere in that letter a reference to his conclusions or observations or anything else of what he discovered or found out at Katyn. Is that your opinion?

Mr. LYON. That is my opinion; yes, sir.

Mr. MITCHELL. An allegation has been made—I have a copy of that. You may retain it. Will you look at the covering letter of August 21, 1945?

Mr. LYON. Yes, sir.

Mr. MITCHELL (reading):

This report supplements statement of Lt. Col. John H. Van Vliet, Jr., forwarded to General Holmes, 25th of May 1945, and generally substantiates all material facts in Lieutenant Colonel Van Vliet's report.

Mr. LYON. Yes.

Mr. MITCHELL. This question has been asked by General Bissell: If the Van Vliet report was not in the State Department files at that time, why didn't you come back and ask for the Van Vliet report?

Have you any comment on that?

Mr. LYON. Well, I thought of that when I saw this thing, this letter.

Mr. MITCHELL. You thought of it when? When you saw the letter now or then?

Mr. LYON. Well, when I was looking at it now, and just the other day when I saw it here.

Mr. MITCHELL. What I would like to have you answer, Mr. Lyon, is whether you thought of that when you received the letter there.

Mr. LYON. No; I didn't think of that. Do you mean, making reference back to the Van Vliet report that is referred to here?

Mr. MITCHELL. In other words, why don't you describe to the committee what would have happened when this report of General Bissell's came to you with this statement, stating that "this report supplements statement of Lt. Col. John H. Van Vliet." What would you have done, or what did you do with that attachment, Gilder's report?

Mr. LYON. Well, had I seen this report, and had I attached the importance to it that apparently this refers to the Van Vliet report—to the receipt of the Van Vliet report—I would have taken it up immediately with Mr. Holmes, or would have sent it up directly to the Division of European Affairs, of Eastern European Affairs.

Mr. MITCHELL. In August of 1945?

Mr. LYON. Oh, yes.

Mr. MITCHELL. You would have taken it up?

Mr. LYON. Not with Mr. Holmes. I would have taken it up then with either Mr. McCarthy, who was Assistant Secretary then, or with the Division of Eastern European Affairs, because I would have seen that it was of great importance. But this report attached here does not say either "Yes" or "No"—that is, that it was the Russians or the Germans who did it. I am referring to the report of Dr. Gilder.

Mr. MITCHELL. Well, there is a reference to another report that is supposed to have been transmitted previously, on the 25th of May, the report of Van Vliet. Have you seen the original correspondence, to show where this letter of the 21st of August went to, in the Department of State?

Mr. LYON. What correspondence are you referring to?

Mr. MITCHELL. I am talking about the original of the letter of the 21st of August. I mean the original correspondence that they have enough signatures and enough initials on to sink a battleship.

Mr. LYON. Yes, sir.

Mr. MITCHELL. Have you seen that letter recently?

Mr. LYON. Yes.

Mr. MITCHELL. Where did this letter go? For your information, I have not seen it yet. I know that I can have it whenever I want it, but I would just as soon not look at it.

Mr. LYON. Well, I don't recall where it went to. This space on the letter is covered up in the photostat, and it has been declassified. But I imagine that it went to the Division of Eastern European affairs.

Mr. MITCHELL. Mr. Brown, do you have the letter with you and, if you have it, will you give it to Mr. Lyon, please?

Mr. LYON. This came to the Division of Foreign Activities Correlation. It went to the Eastern European Division.

Mr. MITCHELL. In other words, your office sent it to the Eastern European Division?

Mr. LYON. Yes, sir.

Mr. MITCHELL. Do you have any recollection of the Eastern European Division coming back and asking you where the correspondence was that was referred to?

Mr. LYON. No, sir; I do not.

Mr. MITCHELL. Do you recall who was the head of the Eastern European Division at that time?



Mr. LYON. No; I don't recall right at this moment. It might possibly have been—no; it would not. I was thinking of the Near Eastern Division. I was thinking of Loy Henderson, whom I was going to mention, but I don't believe it was him.

Mr. MITCHELL. Well, Poland was contained in the Eastern European Division of the Department of State at that time; is that right?

Mr. LYON. That is right.

Mr. MITCHELL. Therefore in the Eastern European Division of the Department of State at that time, it would have gone to the Polish specialist on the Desk? Would that have been the right channel?

Mr. LYON. That is right.

Mr. MITCHELL. Do you know who that Polish specialist was?

Mr. LYON. I have forgotten whether it was Durbrow or Stevens, possibly, although I think he was an Assistant Chief then.

Mr. MITCHELL. You have heard Mr. Lane say this afternoon that Durbrow was the one?

Mr. LYON. Yes; probably it was Durbrow.

Mr. MITCHELL. Is he in Washington or in New York?

Mr. LYON. He is in Rome.

Mr. MITCHELL. Well, Durbrow never came back to you or anybody else asking for the Van Vliet report, on the 25th of May?

Mr. LYON. Not that I recall; no, sir.

Mr. MITCHELL. Did you at any time discuss the Van Vliet report with General Bissell or anybody else?

Mr. LYON. To the best of my knowledge no—I never heard of it.

Mr. MITCHELL. Do you think that you would have remembered it, because of its contents?

Mr. LYON. Oh, I think so—yes, sir.

Chairman MADDEN. Are there any further questions?

Mr. MACHROWICZ. I have no questions. Unless, as far as I am concerned, there is some further testimony on the Department of Defense, I am satisfied that neither Mr. Holmes nor Mr. Lyon had any knowledge of these documents.

Chairman MADDEN. Thank you for testifying here this afternoon, Mr. Lyon.

Mr. LYON. Thank you, sir.

Chairman MADDEN. Do we have another witness for today?

Mr. MITCHELL. Yes, sir. I would like to call one more. Mr. John Carter, please.

#### TESTIMONY OF JOHN F. CARTER, ALBANY, N. Y.

Chairman MADDEN. Mr. Carter, will you come forward, please? Will you raise your right hand and be sworn?

Do you solemnly swear that the testimony you are about to give the committee, will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CARTER. I do.

Mr. MITCHELL. Mr. Chairman, this is rather a surprise witness. He voluntarily came to the committee yesterday afternoon and said that he had some information that might interest this committee.

I talked to Mr. Carter this morning at 9 o'clock. I think he has some information which will be made brief, and which I think the committee will be interested in hearing.

Mr. Carter, will you state your full name for the record?

Mr. CARTER. John Franklin Carter.

Mr. MITCHELL. Where do you live?

Mr. CARTER. 1 Elk Street, Albany, N. Y.

Mr. MITCHELL. Where are you presently employed?

Mr. CARTER. The New York State Department of Commerce.

Mr. MITCHELL. Where were you on September 1, 1939?

Mr. CARTER. In Washington.

Mr. MITCHELL. Had you been in the State Department previously?

Mr. CARTER. I had.

Mr. MITCHELL. During what years?

Mr. CARTER. From 1918 through 1921 and then again from 1928 to June 1932.

Mr. MITCHELL. When did you reenter the employ of the Department of State? Did you ever?

Mr. CARTER. Technically not. Actually I worked under a contract with the Office of the Secretary of State to make special reports for the President.

Mr. MITCHELL. Will you please tell the committee the position you occupied during the wartime years?

Mr. CARTER. I reported regularly to President Roosevelt from roughly the 15th of February 1941 and, of course later, to President Truman, to the end of December 1945.

Mr. MITCHELL. As you know, this committee is concerned with the investigation of the Katyn Massacre. You told me this morning that you had information concerning a German by the name of Hanfstaengl.

Mr. CARTER. Yes.

Mr. MITCHELL. Will you kindly spell his name, please?

Mr. CARTER. The name is spelled H-a-n-f-s-t-a-e-n-g-l.

Mr. MITCHELL. Do you know his full name?

Mr. CARTER. Ernst Seidrick Hanfstaengl.

Mr. MITCHELL. Would you tell the committee briefly your connection with this individual?

Mr. CARTER. Dr. Hanfstaengl had originally been one of the Nazi group who put Hitler into power. He had also been Hitler's foreign press chief. I had met him in Munich in 1932. I had a letter of introduction to him from Nicholas Roosevelt, who at that time was President Hoover's Minister to Hungary. Later on, when I was doing special Intelligence reporting to the White House, it occurred to me that Hanfstaengl might have some useful information. That was because he had fled from Germany in 1938, alleging fear of assassination, and had taken refuge in England.

It so happened that Hanfstaengl had gone to Harvard University and knew personally and was personally acquainted with President Roosevelt, and also, I believe, with Sumner Welles. So I thought that they would be in a position to evaluate, on the basis of their knowledge of the man, such information as he might have.

Arrangements were made with the British to transfer him from a prison camp, where he had been interned, to Washington, and he was placed in my custody. I believed that he could help take the Nazi regime apart, because he said he had helped put it together.

He was installed under strict security and not far from Washington, and was given a short-wave radio-receiving set and kept tuned con-

stantly to the Berlin propaganda radio. His reports were submitted to me personally in writing. They were often submitted verbally, too.

I distributed those reports in duplicate to the President direct, to Sumner Welles direct, to the British Ambassador direct, and also to Elmer Davis, Bill Donovan, and the heads of G-2, and, as I recollect, also to the FBI.

When anything of particular importance, in his opinion, came up, I also would report it directly to the President.

I saw President Roosevelt when he was in Washington on the average of twice a week, usually after press conferences, when I would sit and give him verbal reports supplementing those that I had already submitted to him through special handling conducted by his secretary, who was then Miss Grace Tully.

His instructions were that my reports would go direct to her, and were to be brought directly by her to his desk, so that there would be no opportunity for anyone to intercept them and keep from the President those reports which I submitted.

On or about the 14th of April, Hanfstaengl became extremely excited by the news from the German radio about the Katyn massacre. He said it was the most important political event of World War II. He said also that he knew Goebbels well enough to know that at that time Goebbels was telling the truth. He hated and distrusted Goebbels as a politician.

Chairman MADDEN. Who said this?

Mr. CARTER. Hanfstaengl. He said that he hated and distrusted him, but that he could always tell when he was not lying, because it was so rarely.

Naturally, on the basis of that report, I submitted directly and within 24 hours or less, to both President Roosevelt, Sumner Welles, and to Elmer Davis, as well as to the other recipients of these reports, his statement to that effect. I also later—and I do not recollect the exact date because I kept no records myself—saw President Roosevelt and told him that Hanfstaengl was of the strong opinion that the Russians were responsible for the Katyn massacre and that he, Hanfstaengl, declared that he knew that Goebbels was telling the truth for once.

Now, that is the extent to which I went. I did not evaluate the reports, but I would add that I never had any doubt of Hanfstaengl's good faith.

Sumner Welles told me that he believed that Hanfstaengl was on the level and so did President Roosevelt. Whether they chose to ignore his opinion on that point is something which I am not competent to pass any judgment on.

Mr. PUCINSKI. You said earlier that you were in the Political Intelligence Branch, assigned to the White House?

Mr. CARTER. No; I was not assigned to the White House from the Political Intelligence Branch. The White House decided early in 1941 that they would institute a small very flexible, very informal intelligence unit directed by me, to act on assignment from the White House, and also to prepare and submit such reports as were requested. This Hanfstaengl operation was part of the operations of my office, directly authorized by the President.

Mr. PUCINSKI. What was the official reaction to the Katyn report?

Mr. CARTER. The official reaction was that they didn't want to believe it, and that if they had believed it they would have pretended not to. I assume that it was because of the desire to retain the war-time alliance with Russia.

Mr. PUCINSKI. Is it your contention then that the matter of the Katyn discovery was brought to their attention?

Mr. CARTER. That is my contention, yes, that it was.

Mr. PUCINSKI. Your yourself, as a political adviser, had recommended that that was true?

Mr. CARTER. I had recommended the information as being accurate, an accurate report from Hanfstaengl, and that I believed that he was telling the truth. Of course, I couldn't guarantee that Hanfstaengl could not be mistaken.

Mr. DONDERO. Will you fix the date, as near as you can, when that information came to you?

Mr. CARTER. It came to me either on the 13th or the 14th of April.

Mr. DONDERO. Of what year?

Mr. CARTER. Of 1943.

Mr. PUCINSKI. Mr. Chairman, at this time we would like to introduce into evidence as exhibit 29 a document which has been attached to the following words: "Memo from John Franklin Carter, dated May 31, 1944, giving report on the Katyn massacre, prepared by Mr. Drohojowaki of the Polish Ministry of Information, London."

This document deals with a rather exhaustive analysis of the Katyn discovery and the efforts by the Polish Government prior to the discovery, to locate the missing Polish officers.

If you have no objection, I will have the witness identify this.

Chairman MADDEN. Have the witness identify it, and then mark it as an exhibit. Do you want the whole document introduced, or part of it?

Mr. MITCHELL. It isn't necessary to read it. We can put the whole document in the file.

Mr. CARTER. It is very lengthy.

Mr. PUCINSKI. Do you recognize it?

Mr. CARTER. Yes, I do.

Mr. MITCHELL. This will be exhibit No. 32.

(The document referred to was marked "Exhibit 32" was received for the record and appears at the end of Mr. Carter's testimony.)

Mr. PUCINSKI. I would like to ask this witness how he happened to be in possession of this document.

Mr. CARTER. That document came to me in continuation of my intelligence reports to the White House.

I established, after Katyn, through my subordinates, contacts with the Polish secret intelligence. Naturally, the Polish secret intelligence was very desirous of bringing to the attention of the American authorities what they had to say about the Katyn massacre.

After considerable difficulty, we obtained this report, and I, of course, forwarded it to, in this case, only the State Department and the President. I believe also I forwarded it to G-2. I am not sure about G-2.

Mr. PUCINSKI. Did the contents of this document in any way help you to draw a conclusion in 1944 as to the nation that was guilty of this crime?

Mr. CARTER. I personally had no doubt from the start that the Russians were guilty.

Mr. PUCINSKI. And what did you do with this document, Mr. Carter?

Mr. CARTER. This one [indicating]?

Mr. PUCINSKI. Yes.

Mr. CARTER. I sent it to the President. I also sent it to the State Department. I believe I also sent it to G-2. I couldn't answer about G-2.

Mr. PUCINSKI. Did you send it to the OWI?

Mr. CARTER. I don't think I sent it to the OWI.

Chairman MADDEN. Are there any further questions?

Mr. SHEEHAN. Mr. Carter, you said that as soon as you got the notice of April 13 or 14 you immediately dispatched copies to President Roosevelt and to Elmer Davis?

Mr. CARTER. Yes.

Mr. SHEEHAN. Mr. Counsel, didn't Elmer Davis testify yesterday that he didn't know anything about it when he did his broadcast?

Mr. MITCHELL. I believe that is correct.

Mr. SHEEHAN. Can we get any documentation on that as to whether or not Mr. Davis got that copy?

Mr. MITCHELL. We can try to.

Mr. SHEEHAN. Maybe it will jog his memory.

In talking to Mr. Roosevelt, as you say, Mr. Carter, you did on occasion between 1943 and 1945, did you ever talk to him personally about the Katyn affair?

Mr. CARTER. My recollection is that as soon as I saw him after this Katyn thing broke, I told him Hanfstaengl's strong belief that Goebbels was telling the truth, and that the Russians had killed these soldiers. That was my report to him.

Mr. SHEEHAN. Did you talk to him about the Katyn matter at any other times after that?

Mr. CARTER. I don't recollect having discussed it subsequent to that.

Mr. SHEEHAN. But you did give him written reports after that? I refer, for instance, to this report.

Mr. CARTER. Yes; that is right.

Mr. SHEEHAN. In other words, you are firmly of the belief that long before the Yalta Conference Mr. Roosevelt had been acquainted at least several times, with the circumstances surrounding the Katyn massacre?

Mr. CARTER. Certainly.

Mr. SHEEHAN. So he should have been conscious of all the activities?

Mr. CARTER. I should assume so; yes, sir.

Mr. SHEEHAN. What was the late President's reaction when you called this to his attention?

Mr. CARTER. I can't recollect whether he just raised his eyebrows and laughed, or something. I don't know.

Mr. SHEEHAN. But you were a foreign political adviser, somewhat?

Mr. CARTER. I was not an adviser, sir. I didn't advise. I reported. If my advice was asked, I gave it, but it was hardly ever asked.

Mr. SHEEHAN. Well, did the President at that time tell you that he had any difficulty in trying to recognize this material when it became known?

Mr. CARTER. No; I don't recollect him saying anything about it.

Mr. SHEEHAN. Did he ever discuss with you the political significance of this thing?

Mr. CARTER. No, but I will tell you, if I may, that at the outset of my assignment President Roosevelt felt strongly that Germany should be saved for the world as a democratic, Christian nation, and until the unconditional surrender formula came along, and the Morgenthau plan, that was the basic policy on which I was working, and which I believed was the correct policy. Once that decision to obliterate Germany was taken, then, frankly, I lost interest in the political foreign policy of our Government during the war, because there didn't seem to be a policy. It was pugilism.

Mr. SHEEHAN. At any time, in submitting copies of your reports, as you say, to the OWI and the State Department, did anyone come to question you about these reports, or ask you as to their authenticity?

Mr. CARTER. No. There was, I will have to admit, great scepticism about the value of Hanfstaengl's reports. He had been a controversial figure. He was quite an emotional type, and the British in particular were disturbed by our utilizing his services.

The other intelligence organizations didn't think much of him because he was not their baby. He was somebody else's baby. Therefore, he couldn't be as good as their babies. It was rather difficult. In fact, Elmer Davis once said that I was in the position of a man with a giraffe trying to find another man who wanted to buy a giraffe. That was true. They didn't want to hear anything which ran in the least bit counter to their preconceived ideas, and Hanfstaengl's ideas were not those adopted as the official party line by the American Government in time of war, naturally.

Mr. PUCINSKI. Did you ever discuss the Katyn massacre with Mr. Elmer Davis?

Mr. CARTER. Not that I recollect, no.

Mr. SHEEHAN. Mr. Counsel, I have a lot of respect for my friend, Mr. Ben Brown, in the State Department, but at this time I will have to ask what the State Department did with those reports that they never turned over?

Mr. MACHROWICZ. Let's first find out if they ever got them.

Mr. PUCINSKI. I think it should be pointed out that this exhibit 29 which we have introduced in the record came from the State Department. We got that out of their files.

Mr. MITCHELL. I got so much out of the State Department I can't select all of the records and documents. What I did was to select the things that we thought were appropriate.

Chairman MADDEN. Are there any further questions? Thank you for appearing as a witness, Mr. Carter.

The committee will adjourn until 10 o'clock tomorrow morning, at which time the first witness will be Joseph Phillips, of the Department of State, Alan Cranston, and then General Bissell.

(Whereupon, at 5 p. m. the committee recessed until 10 a. m., Friday, November 14, 1952.)

**EXHIBIT 32A—MEMO FROM JOHN FRANKLIN CARTER REGARDING THE KATYN  
MASSACRE PREPARED ON MAY 31, 1944**

[Memo from John Franklin Carter dated May 31, 1944, giving report on the Katyn Massacre, prepared by Mr. Drohojowski of the Polish Ministry of Information, London]

**REPORT ON THE MASSACRE AT KATYN NEAR SMOLENSK**

1. During the fighting between September 17 and the beginning of October, 1939, about 181,000 Polish Soldiers were taken prisoners by the Soviet Forces, among who were about 10,000 Officers.

2. These Officers, with certain civilians of distinction and several thousand members of the Polish Police were placed in three large Prison Camps as follows:

- (a) Kozielsk in the Province of Smolensk.
- (b) Starobielsk in the Ukraine.
- (c) Ostashkov in the Province of Kalinin.

3. Early in 1940 all these prisoners were photographed, their fingerprints taken and lists prepared. The Camp Authorities informed the prisoners that these measures were taken with the object of sending all these prisoners to their homes and families and "liquidating" the Camps.

4. Early in April, 1940, prisoners from Kozielsk were sent away in batches of two or three hundred, mostly in the direction of Smolensk.

5. Four hundred and five Officers were transferred from the three Camps to others, and finally sent together in June, 1940, to Griazovets in the Vologda Province.

6. Hitler's invasion of Russia on the 22nd of June, 1941, was followed by the signing on July 30, 1941, of a Polish-Soviet Treaty, and by a Military Agreement signed on August 14, 1941, under which all Poles were to be liberated. Accordingly, the Polish Government proceeded to form a Polish Army in Russia to fight the Germans.

7. A Polish Centre was formed at Buzuluk to which the four hundred and five Polish Officers were brought at the end of August, 1941, from the Camp at Griazovets, but as, up to October, 1941, none of the Officers from Kozielsk, Starobielsk, and Ostashkov had appeared, the Polish Ambassador at Moscow, Professor Kot had an interview with Mons. Wyszynski, the Deputy People's Commissar for Foreign Affairs, in order to obtain information as to what had become of the missing Officers.

The interview took place on October 6, 1941. Mons. Wyszynski stated that the missing Officers must be among the three hundred thousand Polish citizens who had already been set free by the Russians. The Polish Ambassador replied: "There are no men from the Camps I have mentioned in the Army at all."

8. On October 22, Professor Kot had an interview with Mons. Molotov, and again asked for information about the missing Officers. Mons. Molotov replied that "The matter would have to be cleared up."

On November 2, Professor Kot had another conversation with Mons. Wyszynski on the same subject, and the latter promised: "I shall continue my endeavours to obtain the information for which you asked me sometime ago."

9. On November 14, Professor Kot had a conversation with Marshal Stalin to whom he complained that the Officers from the Camps at Kozielsk, Starobielsk, and Ostashkov were still missing.

Marshal Stalin replied: "We have released everybody." Professor Kot denied this and said: "My request to you, Mr. President, consists in this that orders should be given for the release of these Officers whom we need to organize our Army."

Marshal Stalin then rang up the N. K. W. D. and asked if all Poles had been released from prison as the Polish Ambassador declared that this was not the case. But Marshal Stalin did not vouchsafe any further explanation as a result of this telephonic conversation.

10. On December 3, 1941, General Sikorski and General Anders were received by Marshal Stalin and presented to him a list of the names of three thousand, eight hundred and forty-three Officers, stating at the same time that this list had been compiled from memory and was therefore very incomplete.

General Sikorski said: "I gave orders that these men should be searched for in Poland itself, with which I am in constant touch. Not a single one is either in Poland or in the Polish-Prisoner-of-War-Camps in Germany. These men are here in Russia, and none of them has yet returned." Marshal Stalin said: "They have certainly been released, but have not yet arrived."

An additional list of eight hundred missing Officers was handed to Marshal Stalin by General Anders on March 18, 1942.

11. Finally Professor Kot had a conversation with Mons. Wyszynski on July 8, 1942, when the Ambassador again brought up the question of the eight thousand Polish Officers who had not been released. Mons. Wyszynski denied that there could still be Poles held as prisoners in Russia.

12. On April 13, 1943, the German Radio Station began to broadcast news of the discovery of the mass graves of Polish Officers in the Katyn Forest near Smolensk. The number of bodies discovered there was estimated by the Germans to be about 10,000.

13. The very large number of photographs in the possession of the Polish Government prove that the victims were almost all Polish Officers, because the uniforms are clearly Polish, being those of Generals, Colonels, Majors, Captains, and Lieutenants. The photographs show Polish Medals, Shoulder Bands, clearly depicting the rank of the Officers concerned, certificates of the award of the Silver Cross, "Virtuti Militari," etc., etc.

14. Representatives of the Polish Red Cross from Warsaw, after investigation on the spot reported by telegram to the International Red Cross at Geneva on April 21, 1943, that:

(a) Large common tombs of Polish Officers have been discovered at Katyn near Smolensk.

(b) After examining about three hundred disinterred corpses, the Polish Red Cross Representatives state that the Officers had been killed by bullets from a revolver, fired at the back of the neck, and that from the similarity of the wounds, it is possible to conclude that the executions were carried out by specialists.

(c) According to the Papers found on the corpses the murders must have taken place about the months of March and April 1940.

15. The numerous photographs of the skulls of the victims confirm the fact that the revolver bullets entered the back of the head or nape of the neck. In most cases one shot was sufficient, in others two or even three were required, as the photographs clearly show.

16. The Polish Government has a list of nearly four thousand Officers, proved to be Poles by their uniforms, the vast majority of whom it has been possible to identify by name, owing to the papers found on their corpses. These include letters from home but not posted, diaries, notebooks, birth and marriage certificates, photographs of wives, fiancées, certificates of inoculation, etc.

17. The first reply of the Russians to the charges of the German broadcasting stations appeared on April 15, 1943. The Soviet Information Bureau states:

"In their clumsily concocted fabrication about the numerous graves which the Germans allegedly discovered near Smolensk the Hitlerite Liars mentioned the village of Gnezdovaja. But, like the swindlers they are, they are silent about the fact that it was near the village of Gnezdovaja that the Archaeological Excavations of the historic 'Gnezdovaja Burial Place' were made."

18. It was only on April 16 that, according to the Official Tass communiqué the Soviet Authorities stated for the first time that some Polish Officers had been employed in building fortifications near Smolensk, and that they had fallen into the hands of the Germans when they conquered this district.

This Official Statement is entirely contrary to the claims put forth during a period of nearly two years that all Polish Officers who had been prisoners of war had been set free. It is permissible to ask why the Russian Authorities had never disclosed these facts to the Polish Ambassador who had made so many repeated efforts to ascertain the fate of the missing Polish Officers.

19. On April 16, 1943, the Polish Minister of National Defence, Lieutenant General Kukiel, issued an official communiqué in which he stated:

"The necessity has arisen that the mass graves which have been discovered should be investigated and the facts verified by a proper International Body, such as the Authorities of the International Red Cross. The Polish Government is approaching that institution with a view to their sending a delegation to the place in which the Polish Prisoners-of-War are said to have been massacred."

20. On April 26, 1943, Mons. Molotov sent a note to Mons. Romer, the Polish Ambassador at Kuibyshev, in which he stated that the campaign of slander set on foot by the Germans with regard to the Polish Officers slain by the Germans themselves near Smolensk had been taken up by the Polish Government and supported by the official Polish Press by every means in their power, and that the Polish Government had thus treacherously stabbed the Soviet Union in the back. The existing Polish Government was on the road to an understanding with



Hitler and consequently the Soviet Government had decided to break off all diplomatic relations with it.

*Conclusion.*—It would appear from all the above considerations that the Polish Government was fully justified in demanding that an impartial inquiry should be held, and "the facts verified by a proper International Body such as the Authorities of the International Red Cross."

#### APPENDIX

Written confirmation of the conversations exchanged between the Polish representatives and the Soviet Government as detailed above.

1. *November 8, 1941.*—Note sent by Mr. Molotov to Professor Kot in reply to the Polish note of November 1, 1941.

"... (1) In accordance with the decree of the Presidium of the Supreme Council of the U. S. S. R. dated August 13, 1941, concerning the amnesty, all Polish citizens who were deprived of freedom as prisoners of war or on other sufficient grounds are free. . . ."

2. *November 14, 1941.*—Note from Ambassador A. Bogomolov to the Prime Minister of Poland, General Sikorski, in reply to the note of October 16, 1941.

"... All Polish Officers who are on U. S. S. R. territory have also been set free. Your supposition, Mr. Chairman of the Council of Ministers, that a large number of Polish Officers are dispersed throughout the northern regions of the U. S. S. R. is, it would appear, based on inaccurate information. . . ."

3. *March 13, 1942.*—Note from Ambassador Bogomolov to Foreign Minister Raczynski in reply to his note dated January 28, 1942.

"... In the reply contained in the note of Mr. D. M. Molotov, dated November 8, 1941, and addressed to M. Kot, and in the Aide-Memoire of the People's Commissariat for Foreign Affairs, dated November 19, it was already stated that the application of amnesty to the Polish citizens had been strictly carried out."

"... The Polish Officers and soldiers having been set free in the same manner as other Polish citizens, i. e., pursuant to the decree of August 12, 1941, everything which has been said above applies equally to Polish Officers and soldiers. . . ."

"In any case, whenever it is learned that certain isolated cases of delay in setting Polish citizens free exist anywhere, the competent Soviet Authorities immediately undertake the measures necessary for their release. . . ."

## THE KATYN FOREST MASSACRE

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FRIDAY, NOVEMBER 14, 1952

HOUSE OF REPRESENTATIVES,  
THE SELECT COMMITTEE ON THE KATYN FOREST MASSACRE,  
*Washington, D. C.*

The committee met at 10:15 a. m., pursuant to call, in room 1301, New House Office Building, Hon. Ray J. Madden (chairman) presiding.

Present: Messrs. Madden, Machrowicz, Dondero, O'Konski, and Sheehan.

Also present: John J. Mitchell, chief counsel to the select committee, and Roman Pucinski, chief investigator.

Chairman MADDEN. The committee will come to order.

Our first witness this morning is Mr. Joseph B. Phillips.

### TESTIMONY OF JOSEPH B. PHILLIPS, DEPUTY ASSISTANT SECRETARY FOR PUBLIC AFFAIRS, DEPARTMENT OF STATE

Chairman MADDEN. Mr. Phillips, will you be sworn, please?

Do you solemnly swear that the testimony you are about to give the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PHILLIPS. I do.

Chairman MADDEN. Will you sit down and give the reporter your full name and address.

Mr. PHILLIPS. Joseph Becker Phillips, 506 Cameron Street, Alexandria, Va.

Chairman MADDEN. You may proceed, Mr. Counsel.

Mr. MITCHELL. What is your position with the State Department, please?

Mr. PHILLIPS. I am Deputy Assistant Secretary for Public Affairs. At the present time I am Acting Assistant Secretary in the absence of Mr. Howland Sargeant.

Mr. MITCHELL. How long have you been in that position?

Mr. PHILLIPS. I have been Deputy Assistant Secretary since February of this year.

Mr. MITCHELL. Mr. Phillips, during testimony taken yesterday afternoon from former Ambassador Arthur Bliss Lane, Mr. Lane stated that the Voice of America failed to carry any broadcasts after he had formed the private committee to investigate the Katyn massacre with relation to the activities of that committee. I believe that committee was formed in 1949. I think the record will reveal that efforts were made on the part of that organization to have the Voice of America broadcast their activities concerning the Katyn massacre.

The committee would like to have you explain to them why the Voice of America didn't do that at that particular time and also to have you tell us when they started broadcasting material concerning the Katyn massacre.

Mr. PHILLIPS. Mr. Chairman, you understand that I was not in the Department at that time. Consequently, I am speaking from the record that has been compiled on this case.

I find that, in fact, the Voice of America did carry a broadcast on November 22, 1949, covering the formation of Mr. Lane's committee. From that time on they reported on several occasions the activities of that committee.

It is quite correct, however, that they did not at that time make a prolonged campaign out of the activities of the Lane committee or the investigation of the Katyn massacre. The motives for that, as I understand, was that there was a paucity of hard and fast news on the subject which could have been played with authenticity over the Voice of America.

The coverage of the subject by the Voice of America increased perceptibly and considerably with the formation of this committee, and from the time of the debates in Congress on the formation of this committee and the organization of this committee, its activities have been covered extensively by the Voice of America.

Mr. MITCHELL. When was the first broadcast by the Voice of America concerning the private committee?

Mr. PHILLIPS. On November 22, 1949.

Mr. MITCHELL. The Voice of America at that time did broadcast information of the private investigating committee headed by Mr. Lane; is that correct?

Mr. PHILLIPS. Yes, sir, on November 22, 1949, the Voice of America carried 11 lines of news about the formation of a new group to gather evidence in connection with the Katyn massacre. A Voice of America reporter was present at the meeting of the committee at that time.

Mr. MITCHELL. Where was that meeting of the committee held?

Mr. PHILLIPS. That I do not know.

Mr. MITCHELL. Was it in New York City?

Mr. PHILLIPS. I believe so; but I am not sure. My record does not show where the meeting was.

Mr. MITCHELL. What was the next broadcast that was carried by the Voice of America concerning the Katyn massacre?

Mr. PHILLIPS. The next broadcast concerning the Katyn massacre was on January 24, 1950, but that did not have to do with the Lane committee. This was a news item on genocide hearings before the Senate subcommittee and consisted of a 19-line summary of Judge Blair F. Gunther's testimony on the Katyn massacre. That was the next recorded broadcast on that subject.

Mr. MITCHELL. What was the next broadcast on the subject of the Katyn massacre?

Mr. PHILLIPS. It was on September 19, 1950, and consisted of 36 lines of news on Lt. Col. John Van Vliet's report on the Katyn crime which was made public by the United States Defense Department.

Mr. MITCHELL. In other words, when the Army, after their search for the missing Van Vliet report, released the version that he had compiled at their request at that time, it was released to the world?

Mr. PHILLIPS. Yes, sir; that is correct.

Mr. MITCHELL. By the Voice of America?

Mr. PHILLIPS. That is correct.

Mr. MITCHELL. What was the next broadcast?

Mr. PHILLIPS. The next broadcast was on the following day, on which occasion the same story was repeated, the release of the Van Vliet report.

Mr. MITCHELL. Did it have world-wide coverage?

Mr. PHILLIPS. I believe it did; yes, sir. It did have world-wide coverage.

Mr. MITCHELL. What was the next broadcast on the Katyn massacre?

Mr. PHILLIPS. Four days later, on September 24, there was a review of the Van Vliet report in a review of the week's events, which is a regular feature of the Voice of America.

Mr. MITCHELL. And that was in 1950?

Mr. PHILLIPS. Yes, 1950; September 24, 1950.

Mr. MITCHELL. What was the next broadcast in which the Katyn massacre was discussed?

Mr. PHILLIPS. On October 6, 1950, there was a satirical piece broadcast in one of their humorous—one of their satirical, not humorous—a satirical program taking the line that in Korea the Communist hordes are perpetrating murders of prisoners of war just as happened at Katyn.

Mr. MITCHELL. What was that again, please?

Mr. PHILLIPS. The theme of this satirical broadcast script was that in Korea the Communist hordes are perpetrating murders of prisoners of war just as happened at Katyn.

Mr. MITCHELL. What was the date of that broadcast?

Mr. PHILLIPS. That was on October 6, 1950.

Mr. MITCHELL. What was the next broadcast?

Mr. PHILLIPS. It was on October 26, 1950, and was a new round-up on the Katyn committee's letter to Vishinski.

Mr. MITCHELL. Do you refer to the private investigating committee headed by Arthur Bliss Lane?

Mr. PHILLIPS. It is my understanding that that committee did send an open letter to Mr. Vishinski.

Mr. MITCHELL. That is correct; and it was broadcast on the Voice of America?

Mr. PHILLIPS. Yes, on October 26, 1950.

Mr. SHEEHAN. If I may interrupt, Mr. Phillips, when Mr. Lane testified the other day he stated that you gave very little time in the Voice of America to broadcasting facts about Katyn, although he did intimate that the Voice of America permitted information about the formation of the committee as such without permitting any opinion as to the guilt of Katyn to be broadcast. Was that the policy that the State Department followed on that?

Mr. PHILLIPS. Yes, sir; that was the policy at that time. The attempt was to broadcast the news as it developed.

Mr. SHEEHAN. Well, at that time the Voice of America was very active in propaganda which was to reach behind the iron curtain. That was such propaganda, wasn't it?

Mr. PHILLIPS. Yes, sir.

Mr. SHEEHAN. Even if it was only hearsay, it was propaganda intended to break the hold of the people controlling the people behind the iron curtain. Well, why be squeamish about permitting something like this to be broadcast even if it was purely opinion?

Mr. PHILLIPS. The record of the policy directives at that time make these points: In the first place, it is not wise propaganda to put on an extended propaganda campaign unless it is supported by hard news. There is always the chance that it will backfire.

In the second place, the main consideration at that time was the broadcast to Poland itself. Everyone recognized that most of the Poles understood perfectly well who was responsible for the Katyn massacre. It was feared that for us to broadcast a campaign on that subject at that time might arouse some Polish individuals, some friends of ours, to actions which would react against them and which would cause their arrest or their murder or other action against them. That was one of the considerations that entered into it.

Mr. SHEEHAN. May I interpose there to say that the mere fact that somebody might listen to a Voice of America broadcast would tend to have recriminations against them, so why should they even be listening to your broadcasts?

Mr. PHILLIPS. The other point, Mr. Sheehan, was that the Voice of America during that period was broadcasting a number of other propaganda themes to countries behind the iron curtain and the Katyn massacre story took its place with them.

Mr. SHEEHAN. Now, if I can summarize, you state that one of the reasons the Department had for not permitting the story of the Katyn massacre to be broadcast over the Voice of America is that you did not have sufficient facts on it.

Mr. PHILLIPS. That is the reason we did not make a propaganda campaign out of it; yes, sir.

Mr. SHEEHAN. Have you followed the evidence that has been presented here all week?

Mr. PHILLIPS. No, I have not personally. I have read it in the newspapers.

Mr. SHEEHAN. I think that somebody in the Department is fast asleep because, from the evidence that has been presented here, officials in our State Department and in our Executive knew, since 1942, that we have loaded our record with many documents directly out of the State Department and from the Executive showing that we had the factual evidence all of the time.

In other words, who is laying down the policy that ignores the facts that they have in the Department?

Mr. PHILLIPS. Well, from this record, the main consideration at that time of the people who laid down the propaganda policy was that the Voice of America should only handle published and established news.

Mr. SHEEHAN. In other words, you ignored everything else unless it was published, despite what you might have in your own files?

Mr. PHILLIPS. I am speaking from this record, Mr. Sheehan. That is correct.

Mr. SHEEHAN. Don't you think that is a silly attitude? You say that you wanted the truth. If you got the truth from your files, you should have published it whether it was public or not.

Mr. PHILLIPS. I can't speak of those from first-hand knowledge because I don't know what was in the files at that time.

Mr. SHEEHAN. What we are trying to bring out here is that all of that information was in the files and yet it was denied to people within your own Department of the Government. That is what we are trying to have explained here. That is the purpose of our second phase of our investigation. Why, with the Government having all of this information at its disposal, did it refuse to use it? Can you enlighten our committee so that we can find out why these things happened?

Mr. PHILLIPS. No, sir. I am sorry, but since I was not in the Department at that time I really cannot. I don't know the thinking behind that particular fact.

Mr. SHEEHAN. By your own statement, didn't it seem contradictory that you wanted to publish the truth? You had the truth, and yet you failed to reveal it because it had not been made public to the American people? Is that not a contradictory set of circumstances?

Mr. PHILLIPS. Well, as a general thing, if this is in answer to your question, the Voice of America, relying as it does on its standing as a news organization, devotes itself mostly to the transmission of news which has been developed in the public and which is public news.

Mr. SHEEHAN. Well, I would say from my own observation that the Voice of America falls down on its job terrifically. It is meant as a propaganda organization, and it is meant to disrupt the members behind the iron curtain. If they refuse to use all of the news to do that, they have no business existing. I would say that the Department is very lax.

Mr. PHILLIPS. Their statement of their coverage at that time is that they did use the news as it developed from the Lane committee and from other sources.

Mr. SHEEHAN. I know, but you admit that they merely said that the Lane committee was formed to investigate. They said nothing about the Russians being guilty. They merely gave the news that the committee had been developed. How effective is that?

That is all, Mr. Chairman.

Chairman MADDEN. How many news gatherers do you have here in Washington?

Mr. PHILLIPS. Here in Washington, Mr. Chairman, I don't know specifically how many there are. I know that there are at least half a dozen of them who function here in the capital.

Chairman MADDEN. Have you had a representative here this week?

Mr. PHILLIPS. Yes, sir.

Chairman MADDEN. At these hearings?

Mr. PHILLIPS. It is my understanding that the International Information Administration has had someone here throughout these hearings.

Mr. DONDERO. Mr. Phillips, I think it is fair to say that a good reason existed, at least while the war was in progress, why nothing should be done to irritate our ally, Russia. She was our ally at that time. What is difficult to understand, however, is that there should be such silence on the part of our Government since the war's end. I refer to the appeasement of Russia, of course. If there is any one thing that this record shows and that the people of the world know,

Russia is the one Government that should not have been appeased since the World War's end for this reason: That she is the fly in the ointment in bringing about world peace.

For that reason, it does seem that Voice of America has been lax in not presenting to the people of the world what information it had in its files that they knew was there since 1942.

Have you any different reaction or opinion to express on that?

Mr. PHILLIPS. Well, sir, I am told that at that time, that is, in 1948 and 1949 and early in 1950, the controlling factor in the Voice of America policy on this subject was the possible effect in Poland and that it was not a consideration of the Soviet Union. That did not enter into it. Since the formation of this committee and since your activities began, the Voice of America transmissions have stepped up to a very great extent.

Mr. DONDERO. Let me comment on the statement that you made that it was thought it might excite our friends, the Poles. The Poles have been under the domination of the Russian Government since early in the war; and, if there is one thing that it might have done, it might have aroused the ire of the Polish people against their, let us say, their conqueror because that is what it means in substance. I refer to the Lublin government, the Communist-dominated Government of Poland. That was a mistaken policy. Instead of doing good, I think it did great harm to the Poles to withhold that information from them.

Now, I am interested in the rest of your statement, and I will be glad to hear it.

Mr. PHILLIPS. Well, on the question of the Poles, may I read, since I was not in the Department, the statement that was prepared here on that subject, that part of the subject.

The Poles, of all people, did not have to be told who was responsible for the Katyn massacre. Their experiences since September 1945 were calculated to make them believe the worst of the Russians. In such circumstances, it was possible that extensive treatment of the Lane committee project would lead many Polish patriots to conclude that such an airing of the subject was for a purpose other than mere information, namely, to arouse overt action on their part.

It is the concern of the official propaganda to the satellite people to nourish their hope of freedom and national independence without doing anything to expose them to seizure, torture, and death by reason of an untimely revolt. That, I understand, was one of the major policy considerations in the directives for the play of the Katyn massacre investigation.

Mr. DONDERO. The Department then took the position that the broadcasting of the facts might so irritate Russia that she would take it out, so to speak, on the Poles, especially the patriotic Poles who were doing what they could to resist Russian aggression. Was that about the situation?

Mr. PHILLIPS. Frankly, that is not what I gather from this statement of policy.

Mr. SHEEHAN. Mr. Chairman, may I again remark that the whole purpose of this propaganda is eventually to get all of the nations to do overt acts against their oppressors. Isn't that the purpose of propaganda in the final analysis?

**Mr. PHILLIPS.** It is; yes, sir. But I think the experience in the last war, as most people remember very vividly, showed that it is very futile and very dangerous propaganda to incite people to action unless you are in a position to support them.

**Mr. SHEEHAN.** I know, but do you think that the Poles, in the light of their experience at the Warsaw uprising, when the Allies instigated them to rise up against their oppressors and then left them for a long period of time—do you think that the Poles, if they have any sense at all, would rise up again unless they knew help was near at hand?

**Mr. PHILLIPS.** I can only say that that was one of the considerations that lead to the formation of this policy.

**Mr. SHEEHAN.** I say that whoever is laying down the policy doesn't know the facts of life and should consult some good newspapermen on how to put on a good propaganda campaign.

**Mr. DONDERO.** The very fact is that this committee, when it went to Europe, the Old World, to get the facts, instilled a note of hope in those people behind the iron curtain.

**Mr. MACHROWICZ.** Of course, I might add this, Mr. Chairman, that one thing your office completely overlooked was that the Lane committee, as a matter of fact, had an entirely different function, that is, not to rouse the Poles, but to awaken the Americans to the true danger of communism. I think that is a very worthy purpose both of that committee and of this committee.

**Mr. PHILLIPS.** The Voice of America's coverage of this committee, as I said, has been very extensive.

**Mr. MACHROWICZ.** The Lane committee had the very same function.

**Mr. PUCINSKI.** Mr. Chairman, I wonder if you can tell us, Mr. Phillips, when the so-called truth bomb started in the Voice of America?

**Mr. PHILLIPS.** The so-called truth bomb—I am afraid I don't understand.

**Mr. PUCINSKI.** Wasn't there a period when you came before Congress to seek appropriations at which time you told Congress that you were going to start a truth bomb and needed appropriations for that purpose?

**Mr. PHILLIPS.** Do you refer to the campaign of truth?

**Mr. PUCINSKI.** You called it the truth bomb.

**Mr. PHILLIPS.** I believe it was the campaign of truth. I came into the Department in the spring of 1950, and I believe that efforts under that name had started just before then.

**Mr. PUCINSKI.** I would like to refer to it as the truth bomb. What was envisioned under that program?

**Mr. PHILLIPS.** Under that program, as I understand and as we work in it now, there were envisioned these things: In the first place, an increase of our propaganda facilities and our propaganda output activities. In the second place, a sharpening in our attacks on communism and on the Soviet Union and on the policies of the Soviet Government. In the third place, at that time, it was quite clear in our minds that one of our major efforts should be in the cementing of our friendships with other nations, particularly those of Western Europe.



Mr. PUCINSKI. How much money did you get at that time; do you recall offhand?

Mr. PHILLIPS. No, sir, I don't recall that accurately.

Mr. PUCINSKI. Mr. Julius Epstein, who has been mentioned before this committee previously, told me or rather Mr. Mitchell and myself when we talked last on this subject that when Colonel Stewart testified before this committee in 1951—and I am going to read you one short paragraph from Mr. Epstein's statement.

He said, for instance—

When Colonel Stewart testified—and Colonel Stewart testified for 2 hours, you will remember, from 10 until 12—at 5 o'clock I went down to the Voice's news office in Washington and asked, "Could I see the release?"

They found a release of 25 lines. I said, "You have three reporters for the Hill, and you don't know this? This was made for the Voice."

Now, I don't think that I quite agree with Mr. Epstein's final conclusion, but I was just wondering, when you related all of these mentions of Katyn earlier this morning, how much mention was there and what sort of a campaign did the Voice of America put on? Were the broadcasts similar to the 25 lines mentioned about Stewart, an American officer who identified the Soviets as the murderers of these Poles?

Mr. PHILLIPS. In these earlier broadcasts—and I do not have the complete file of each broadcast, although I have some record of the lines given. The first broadcast, for example, was 11 lines.

Mr. MITCHELL. I believe Mr. Pucinski is referring to what happened after Stewart testified.

Mr. PHILLIPS. Well, this was in 1951?

Mr. PUCINSKI. That is correct.

Mr. MITCHELL. On October 19, 1951.

Mr. PHILLIPS. I am sorry, but I don't have the record of that particular broadcast. I do have some scripts for September 1951, which show a very extensive coverage. In 1952 I have a record of scripts, most of them being 15 minutes and 20 minutes.

Mr. PUCINSKI. Are those on the work of this committee?

Mr. PHILLIPS. They are on the work of this committee.

Mr. PUCINSKI. That leads me to my next question, Mr. Phillips. If until 1951 you had feared, as a policy of the Voice of America, that publishing or carrying broadcasts into Poland about Katyn might lead to an uprising, what has changed your mind this year?

Mr. PHILLIPS. May I go back?

Mr. PUCINSKI. I mean, don't the same conditions prevail today that prevailed 5 years or 4 years or 3 years ago?

Mr. PHILLIPS. No, sir. In the considerations that guided this policy, I understand that there is a feeling that conditions have changed. In the first place, this committee itself is an official committee and, consequently, its information is of the highest order of newsworthiness.

In the second place—and here, since I wasn't in the Department in 1948 and 1949, it is a bit difficult for me to speak about it—there is a feeling that our whole broadcast, our whole output tuned to the satellite countries between the iron curtain has considerably increased in sharpness and in impact within the past 2 years.

Mr. PUCINSKI. But don't the same conditions, the same fears that existed in the Voice of America through 1949 and 1950, that is, with relation to a premature uprising, exist today even though this is a congressional committee? Don't you have those same fears today?

I am trying to find out what has happened in those intervening years to change your policy so drastically.

Mr. PHILLIPS. Certainly those fears do exist. That fear will always be there, that is, that you should not incite people to overt action unless you can support them. That is a standard and a real policy consideration always.

The main thing that has happened is the formation of this committee and the testimony you have developed.

Chairman MADDEN. Let me ask you this: Do you have any knowledge of the extensiveness of the coverage that was given this committee when we were holding hearings in Frankfort? I refer to the broadcasts behind the iron curtain.

Mr. MITCHELL. May the chairman see that list?

Mr. PHILLIPS. Yes. I would like to have that done.

Chairman MADDEN. Will the witness answer my question first?

Mr. PHILLIPS. Here is the list in Frankfort, Mr. Chairman. April 21, a 13-minute broadcast. April 22, an 11-minute broadcast. April 23, one 12-minute broadcast and one 22-minute broadcast. April 24, a 12½-minute broadcast and a 19-minute broadcast. April 25, a 3-minute broadcast and a 16-minute broadcast. April 26, a 9½-minute broadcast and a 21-minute broadcast.

Chairman MADDEN. You have mentioned the 15- and 20-minute broadcasts. Were they devoted to Katyn, to the Katyn testimony?

Mr. PHILLIPS. Yes, sir. They are identified here. The 13-minute broadcast on the twenty-first, for example, dealt with the testimony of Jozef Czapski before the Katyn Congressional Committee. The next one is the testimony of the German witnesses before the congressional committee.

Chairman MADDEN. Those broadcasts were carried behind the iron curtain by the Voice of America?

Mr. PHILLIPS. That is correct.

Mr. PUCINSKI. Mr. Chairman, I think it has been pointed out repeatedly, as we know from our experience, that the Voice of America has been doing a very good job since this committee was started. As a matter of fact, I think we should point out here that the Voice of America, I think, has done a sufficiently good job to force the Communist regime in Poland to put out a 250-page book denouncing this whole committee. So apparently you are reaching your goals now.

The only question that we have been trying to delve into is why this wasn't done as early as 1945, 1946, at least 1946 when officially Mr. Truman said that the policies toward the Soviets has changed. That is what we are trying to find out.

Mr. PHILLIPS. Well, I have given you the three policy considerations that entered into that.

Mr. PUCINSKI. You will agree that the big policy, the one of the fear of getting the Poles to uprise, was a totally erroneous one because now you are publishing this committee's work and you are not afraid of that, are you?

Mr. PHILLIPS. I can only say that that was the consideration that entered into their minds in 1948. May I answer as to Colonel Stewart? I do find that I have a record of the broadcast on Colonel Stewart's testimony. This was a broadcast on February 4, 1952, dealing with the deposition of Colonel Stewart before the Katyn Congressional Committee, and was a 15-minute broadcast.

Mr. PUCINSKI. Then, Mr. Phillips, you are saying that Mr. Epstein was in error when he advised Mr. Mitchell and myself that there were only 25 lines devoted to that?

Mr. PHILLIPS. No, sir. I don't think we are talking about the same thing.

Mr. MITCHELL. May I clarify that? I was present. Mr. Pucinski was not on the committee at the time that the Stewart testimony was taken. I did not release it to the Voice of America or to anybody else until we started our major investigation, which was in February, because the members of the committee had recessed until January and consequently I didn't publish anything because I thought a premature release at that time, without some continuity, would have very little value.

Mr. SHEEHAN. Mr. Phillips, you stated that someone set that policy from above. Who were your superiors that set that particular policy? Do you know?

Mr. PHILLIPS. Yes, sir. The guidance and the policy responsibility for these matters related to the Voice of America and our propaganda policy would be that of the Assistant Secretary for Public Affairs.

Mr. SHEEHAN. Who was that at that time?

Mr. PHILLIPS. At that time, in early 1950, it was Mr. Barrett. Before that, for several months, I believe I am correct in stating that Mr. Sargeant, as deputy was acting, and previous to that it was Mr. Allen, the present Ambassador to Yugoslavia.

Mr. SHEEHAN. We have been faced with so many contradictions here, such as the fact that Elmer Davis when he testified the other day said that he never knew about Katyn, yet another gentleman came up and said that 2 days after Katyn happened he was handed a memorandum about Katyn. From the State Department and the OWI and everything connected with it we get contradictions, and from a congressional standpoint I know that it is going to make me look very closely into appropriations for the Voice of America next year if the only thing they are going to publish is what is already in the newspapers. We want the truth to go to the countries behind the iron curtain regardless of where it comes from.

Mr. DONDERO. A question I had in mind was this: Does the Department have on record any concrete evidence of whether these broadcasts of the Voice of America really hit behind the iron curtain and what effect they have?

Mr. PHILLIPS. Yes, sir. We do have on record the statements of people who have escaped from behind the iron curtain and who have listened to the Voice of America. We have some generalizations from them as to people, their friends and neighbors, who they know listen to the Voice of America. It is not direct evidence, but it is fairly convincing. We have the attacks that are made on the Voice of America by Communist publications and by the Communist radio. We also have the enormous jamming effort that is made to cut out the Voice of America broadcasts, which certainly wouldn't be done unless they were reaching people.

Mr. DONDERO. It would somewhat recommend it to me if the Communist press attacks the Voice of America as they did us while we were in Europe.

Mr. O'KONSKI. Mr. Phillips, has any comparison been made between the effectiveness of the Voice of America behind the iron curtain as

compared, let us say, for example, with Radio Madrid of Spain, Radio France of Paris? Did you know, for instance, that the Hooper rating for behind the iron curtain of the Voice of America gives it the booby prize while Radio France and Radio Madrid are way ahead? Incidentally, Radio France spends 1 percent of the money that we spend on the Voice of America.

In other words, we spend 100 times more on the Voice of America than they do on Radio France, and our Hooper rating behind the iron curtain hardly rates compared with theirs. Have you made a comparative study of that?

Mr. PHILLIPS. Yes; we make a comparative study of that all of the time. Naturally, a good deal of the evidence is hearsay. We cannot have Hooper rating people getting behind the iron curtain and questioning people directly. I must say, sir, that most of the evidence we get does not mention anything except that the Voice of America and the British Broadcasting Corp. are being really effective.

I do not have any record and I have never seen a record myself that put the French radio and the Spanish radio in the same class with the Voice of America for general listening.

Mr. O'KONSKI. I will give you an illustration of why they probably have more listeners. When we were in Paris, Radio France contacted this committee, and they came over and invited us to appear on Radio France. I said, "What is your policy on Radio France? Should we hold back or should we tell the truth, or just what is your policy on Radio France?"

They said, "Mr. Congressman, the more you give the Russians hell, the better we like it. That is the kind of broadcast we want. That is what they want to hear behind the iron curtain."

Now, to my knowledge, I have never been contacted by the Voice of America in all of the years of its existence, and I am sure that if I did appear on the Voice of America everything I would say would have to be censored by some higher authority. They certainly wouldn't say, "Go ahead, Congressman, give them hell. The more hell you give them, the more listeners we have behind the iron curtain."

There is your difference. The same thing is true of Radio Madrid. Their programs are all anti-Communist, and that is why they have listeners.

In talking to some people who have escaped from the other side of Europe, they say the trouble with the Voice of America is that there is too much pussy-footing and that they don't know where we stand. They say that we give them nothing to hang their hats on. That is why they listen to Radio Madrid. That is why they listen to Radio France.

So it seems to me that we are setting up this organization primarily to tell the truth about communism, and we just don't do enough. I don't think it justifies its purpose. This idea of telling how the people live in Virginia, how many automobiles we have per capita of population, how many radios we have per capita of population, how many washing machines we have per capita of population, I think, to the people behind the iron curtain antagonizes them and makes them our enemies instead of our friends.

Mr. MITCHELL. I have no further questions, Mr. Chairman.

Chairman MADDEN. Are there any further questions?

I had another question I was going to ask, but I have forgotten what it was. I was enraptured by my colleague's talk.

We are very grateful to you for your evidence today. I wonder if you will leave with us that list of broadcasts.

Mr. PHILLIPS. Yes, sir; I would like to leave the list of broadcasts from 1948 to 1951, and the broadcasts of 1952 since this committee has been functioning.

Mr. SHEEHAN. Is that a record of all of the broadcasts on Katyn?

Mr. PHILLIPS. This is a record up to June 26, 1951, and from February 1952 up to May. It is not a complete record; no, sir. I also have some scripts for 1951 if you would like to have them left.

Mr. SHEEHAN. I think you ought to turn them over to the committee without having them put in the record so that we at least will have them.

### TESTIMONY OF JULIUS EPSTEIN, NEW YORK CITY, N. Y.

Chairman MADDEN. Our next witness is Mr. Julius Epstein.

Mr. Epstein, will you raise your right hand and be sworn, please?

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EPSTEIN. I do.

Chairman MADDEN. Will you state your full name, please?

Mr. EPSTEIN. Julius Epstein.

Chairman MADDEN. And your address.

Mr. EPSTEIN. 92-40 Queens Boulevard, New York City.

Chairman MADDEN. And your business?

Mr. EPSTEIN. I am a writer and a foreign correspondent.

Chairman MADDEN. Will you proceed, Mr. Mitchell.

Mr. MITCHELL. Mr. Epstein, I understand that you want to put some letters in the record which you exchanged with officials of the Department of State and the Voice of America; is that correct?

Mr. EPSTEIN. That is correct.

Mr. MITCHELL. Will you please proceed to do so.

Mr. EPSTEIN. I wrote a letter to William T. Stone on February 10, 1949, offering him a complete file on Katyn with exclusive news which had never been broadcast over the OWI or the Voice of America. After 10 weeks—

Mr. MITCHELL. What is the date of that letter?

Mr. EPSTEIN. February 10, 1949.

Chairman MADDEN. Let me interrupt you there. This letter is in what connection?

Mr. EPSTEIN. This letter is addressed to Mr. William T. Stone, special assistant to the Assistant Secretary of State, Department of State, Washington, D. C. The letter states:

DEAR MR. STONE: Thank you very much for your kind letter of February 7—

Mr. MITCHELL. May we have that letter for the record, please?

Mr. EPSTEIN. Yes.

Mr. MITCHELL. May we get an exhibit number on it?

Chairman MADDEN. Will you mark it as "Exhibit 33."

Mr. MITCHELL. For the record, this is exhibit No. 33. This is a copy of a letter dated February 10, 1949, from Julius Epstein to William T. Stone, special assistant to the Assistant Secretary of State. (The document referred to was marked "Exhibit 33" and follows:)

## EXHIBIT 33—LETTER TO MR. STONE FROM MR. EPSTEIN

FEBRUARY 10, 1949.

MR. WILLIAM T. STONE,

*Special Assistant to the Assistant Secretary of State,  
Department of State, Washington, D. C.*

DEAR MR. STONE: Thank you very much for your kind letter of February 7; I was very glad to hear that you liked my letter to the editor and that you want to make use of it in connections with the Voice of America. In the meantime, I learned that this article was inserted in the Congressional Record of February 7.

I should like to tell you that I just finished a long and thorough research on the Katyn murder of more than 4,000 Polish officers by the Russians. I unearthed completely new evidence. Among it are letters I received from some of the scientists who went to Smolensk in 1943 and investigated the case. There is not the slightest doubt that all circumstantial evidence points to Stalin as the responsible man. Don't you think it would be a good idea to write a fifteen-minute broadcast for the Voice? I would gladly do it. I would be very grateful if you could tell me your opinion or if you would consult with Mr. Allen. It would take me just a few days to send you the broadcast. I could write it in German or English or in both languages.

With many thanks,

Very sincerely yours,

JULIUS EPSTEIN.

Mr. MITCHELL. Now, will you let us have the reply that you received?

Mr. EPSTEIN. On April 20, 1949, I got an answer.

Mr. MITCHELL. This is a letter, exhibit No. 34, on the official stationery of the department of state, New York, N. Y., dated April 20, 1949, from Charles W. Thayer, Chief, International Broadcasting Division, addressed to Mr. Julius Epstein, 468 Fourth Avenue, New York 16, N. Y.

Mr. EPSTEIN. That was my office address.

(The document referred to was marked "Exhibit 34" and follows:)

## EXHIBIT 34

DEPARTMENT OF STATE,

251 West Fifty-seventh Street, New York, N. Y., April 20, 1949.

MR. JULIUS EPSTEIN,

468 Fourth Avenue, New York, N. Y.

DEAR MR. EPSTEIN: Your letter of February 10, 1949, to Mr. William T. Stone was referred, during his absence from Washington, to the New York office of the International Broadcasting Division, first to Mr. Victor Hunt and then to me. I regret the long delay in acknowledging your kind offer to write a script about the Katyn case for use by the Voice of America.

We have decided against making use of the material at this time. Your offer was, however, appreciated.

Thank you for your interest.

Sincerely yours,

CHARLES W. THAYER,

Chief, International Broadcasting Division.

Mr. MITCHELL. Did you have any further correspondence with the International Broadcasting Division that you would like to put on the record, Mr. Epstein?

Mr. EPSTEIN. Yes. I will come to this later, if you will permit me to make a few remarks. On July 3 and 4, 1949—

Chairman MADDEN. Now, where is this letter to?

Mr. MITCHELL. He doesn't have a letter. He is reading from notes that he has here.

Mr. EPSTEIN. Well, I have other letters, too.

Mr. MITCHELL. Why don't we just listen to that comment and then he can give it to us later? Will you proceed with what you have right there?

Mr. EPSTEIN. Yes. On July 3 and 4, 1949, two articles of mine appeared in the New York Herald Tribune about the Katyn massacre. They also appeared in the European edition of the Herald Tribune; and they found a great response, which I saw from the letters I received.

The Voice of America at that time was broadcasting daily a press survey, telling the people before and behind the iron curtain what the news of the press was, together with certain features. As I found out, they did not mention anything about this series of articles.

Mr. MITCHELL. What you are saying now is that the Voice of America did not broadcast or mention the two articles that you wrote?

Mr. EPSTEIN. The two articles I wrote for the Herald Tribune.

Mr. MITCHELL. Thank you.

Mr. EPSTEIN. On July 13, 1949, I had a telephone conversation with one of my friends on the Russian desk of the Voice of America and I asked him, "Did you read the articles?"

He said, "Yes; of course."

I asked him, "Did the Voice of America make any use of that?" and he said, "No."

I also spoke to the Polish desk and to the chief of the Polish desk, who told me that it would create too much hatred against Stalin among the Poles and that he hadn't gotten the green light from Washington to use anything of my articles about Katyn.

On October 15, 1949, I wrote a letter to the Assistant Secretary of State, Mr. George V. Allen, Department of State, Washington, D. C. May I read this letter?

Mr. MITCHELL. Surely. That will be exhibit 35. This is a copy of a letter, that is, exhibit No. 35, dated October 15, 1949, from Julius Epstein, then executive secretary to the Lane committee investigating Katyn. It is addressed to the Assistant Secretary of State, Mr. George V. Allen, Department of State, Washington, D. C.

(The document referred to was marked "Exhibit 35" and follows:)

**EXHIBIT 35—LETTER FROM MR. EPSTEIN TO MR. ALLEN**

OCTOBER 15, 1949.

ASSISTANT SECRETARY OF STATE MR. GEORGE V. ALLEN,  
*Department of State, Washington, D. C.*

DEAR MR. ALLEN: I want to inform you that the former Ambassador to Poland, Mr. Arthur Bliss Lane, will hold a press conference on Monday, November 21, 1949, at 4 P. M. at the Le Pillement Suite at the Waldorf Hotel in New York.

Ambassador Lane will at this press conference announce the formation of the American Committee For The Investigation Of The Katyn Massacre, Inc. The press conference will be attended by the members of this committee as listed on this letterhead and distinguished guests from New York, Washington, and Baltimore.

Ambassador Lane will deliver the main speech in which he will explain the reason and the purpose of the foundation of the American Katyn Committee.

There will also be present the only survivor of the massacre of Polish officers who is now living in the U. S. He will tell his story and answer questions from the press.

We give you this advance information in order to enable the Voice of America to make the necessary arrangements to carry this press conference over its foreign-language network.

We are ready to help the Voice of America in any way you should desire and would be grateful to you to learn with whom in your New York office we could talk over the details of the broadcasts.

Very sincerely yours,

JULIUS EPSTEIN,  
*Executive Secretary.*

Mr. SHEEHAN. What was the date of that letter, Mr. Epstein?

Mr. EPSTEIN. The date of this letter is October 15, 1949. An almost identical letter was sent to Mr. Foy D. Kohler, Chief of the New York office of the Voice of America, on the same date. I don't have to read that as it is exactly the same.

On November 14, 4 weeks later, and just a week before the press conference in the Waldorf-Astoria Hotel, Mr. Kohler answered this letter. Mr. Allen had not answered it at all.

Mr. MITCHELL. You say that you got no reply from Mr. Allen?

Mr. EPSTEIN. No; I did not.

Mr. MITCHELL. This is exhibit 36, being on the official letterhead of the Department of State, Voice of America, New York, N. Y. The letter is dated November 14, 1949. It is addressed to Mr. Julius Epstein, executive secretary, American Committee for the Investigation of the Katyn Massacre, Inc., 470 Fourth Avenue, Suite 1209, New York 16, N. Y. It is signed by Mr. Foy D. Kohler, Chief, International Broadcasting Division.

(The document referred to was marked "Exhibit 36" and follows:)

EXHIBIT 36—LETTER FROM MR. KOHLER TO MR. EPSTEIN

DEPARTMENT OF STATE,  
VOICE OF AMERICA,

251 West 57th Street, New York, N. Y., November 14, 1949.

DEAR MR. EPSTEIN: This will acknowledge the receipt officially of your recent letters addressed to Mr. Lehrbas, of OII, as well as to a number of individual members of IBD including myself with regard to the press conference to be held by The Honorable Arthur Bliss Lane on Monday, November 21, at 4 P. M. at the Waldorf Astoria.

As you were informed in our conversation on Wednesday last, the Voice of America will be glad to have a representative at this press conference and appreciates your invitation. However, as we also pointed out in our conversation, the usefulness of the work of the proposed committee to the Voice will depend largely on the seriousness and objectivity of its approach to the Katyn investigation and to the production thereby of new factual information and hard news.

FOY D. KOHLER,  
*Chief, International Broadcasting Division.*

MR. JULIUS EPSTEIN.

*Executive Secretary, American Committee for the Investigation of the Katyn Massacre, Inc., 470 Fourth Avenue, Suite 1209, New York 16, New York.*

Mr. MITCHELL. Do you have any more correspondence that you would like to put on the record, Mr. Epstein?

Mr. EPSTEIN. No, I don't think so.

Mr. SHEEHAN. Mr. Chairman, may I ask some questions?

Chairman MADDEN. Go ahead.

Mr. SHEEHAN. Mr. Epstein, as I understand it, the press conference and your news releases were in 1949?

Mr. EPSTEIN. November 1949.



Mr. SHEEHAN. And you called this definitely to the attention of the Voice of America as indicated by the letters that you have put in the record now?

Mr. EPSTEIN. Yes.

Mr. SHEEHAN. And you talked to people from the Voice of America personally?

Mr. EPSTEIN. Yes.

Mr. SHEEHAN. Did you hear Mr. Phillips here state the policy of the Voice of America, that is, that they would only broadcast on the Voice of America material that was published?

Mr. EPSTEIN. Yes.

Mr. SHEEHAN. This was published, was it not?

Mr. EPSTEIN. Yes.

Mr. SHEEHAN. It was published in the newspapers?

Mr. EPSTEIN. Yes.

Mr. SHEEHAN. And was of general import?

Mr. EPSTEIN. Yes.

Mr. SHEEHAN. In other words, in spite of the fact that certain men in the State Department laid down the policy, the Voice of America did not even bother to follow the policy?

Mr. EPSTEIN. Yes.

So I went to Washington in January and went to the State committee?

Mr. EPSTEIN. I was executive secretary of the American Committee for the Investigation of the Katyn Massacre.

Mr. SHEEHAN. How long has the committee been in existence?

Mr. EPSTEIN. The committee was in existence about 2 years.

Mr. SHEEHAN. When did you first contact my office with reference to turning over some material that you had?

Mr. EPSTEIN. I contacted your office, Mr. Congressman—just a second—in June 1951.

Mr. SHEEHAN. What date in June?

Mr. EPSTEIN. I think I made an error. Just a second. No, it was in May 1951.

Mr. SHEEHAN. That is close enough. I want to yield to Mr. O'Konski for one question.

Mr. O'KONSKI. Mr. Epstein, isn't it true that the work of your committee was chiefly financed by Americans of Polish descent in the United States?

Mr. EPSTEIN. That is true.

Mr. O'KONSKI. Don't you think that it would have been of tremendous value to the people in Poland to know that their descendants in the United States of America were raising money to finance this committee to find out the truth about the Katyn massacre? Don't you think that even somebody in the Voice of America should have had intelligence enough to see the value of that?

Mr. EPSTEIN. I agree with you.

Mr. O'KONSKI. But they didn't?

Mr. EPSTEIN. They did not.

Let me tell you what happened at the press conference. We just heard that the Voice of America wanted to broadcast hard news. Now, there was very interesting hard news originating in the Waldorf on November 21, 1949. I have here the really great speech made—

Mr. SHEEHAN. May I continue, Mr. Epstein. I just yielded to Mr.

O'Konski for one question. I had asked when you had contacted my office, and you said that it was in May 1951.

Mr. EPSTEIN. Yes.

Mr. SHEEHAN. Do you know when the first resolution was introduced in Congress to investigate the Katyn massacre?

Mr. EPSTEIN. It was in June 1951.

Mr. SHEEHAN. Who introduced that resolution?

Mr. EPSTEIN. Congressman Sheehan.

Mr. MITCHELL. Did you contact any other member of this committee before you contacted Mr. Sheehan?

Mr. EPSTEIN. No.

Mr. MITCHELL. Mr. Epstein, think before you say that.

Mr. EPSTEIN. Pardon me. Please repeat the question.

Mr. MITCHELL. Before you contacted Mr. Sheehan, had you contacted any other Member of Congress?

Mr. EPSTEIN. Well, I was in steady correspondence with many Members of Congress. On May 1, 1951, Congressman Flood printed my pamphlet *The Mysteries of the Van Vliet Report* completely in the *Congressional Record*. I also saw Mr. Madden and repeatedly before this date I saw Mr. Dondero, who had correspondence with the Pentagon about the Van Vliet report.

Mr. SHEEHAN. Mr. Epstein, the only reason for asking the question is because of the fact that yesterday the committee was passing out bouquets to the Polish-American Congress, to the Lane Committee, to the people who had contributed, and I just thought that maybe we ought to bring to the attention that Mr. Sheehan was the first one to introduce the resolution.

Mr. EPSTEIN. You were the first one to introduce the Katyn resolution.

Now, let me come back to the press conference at the Waldorf. There Mr. Lane delivered a speech and Mr. Max Eastman, the vice president, read Mr. Lane's letter to Vishinsky in which Mr. Lane invited Vishinski to appear before the committee. Hard news, that was, which was carried on the front pages of the American press; but the Voice of America neither broadcast Mr. Lane's speech nor his letter to Vishinsky.

So I went to Washington in January and went to the State Department.

Chairman MADDEN. Now, what does this have to do with the inquiry?

Mr. EPSTEIN. Pardon me?

Chairman MADDEN. What does this have to do with the inquiry?

Mr. EPSTEIN. It has to do with the deliberate suppression of the truth about the Katyn massacre by the Voice of America.

Chairman MADDEN. I think you are getting a little off the track.

Mr. MITCHELL. You have already published that in the newspapers, have you not?

Mr. EPSTEIN. Yes. I published a pamphlet.

Mr. MITCHELL. Then it is a matter before the public and for the world to read?

Mr. EPSTEIN. Yes, but it is not a matter of record before this committee. You heard much testimony that you had heard long before. Everything that Mr. Mikolajczk said is a matter of public record.

Mr. MITCHELL. Not everything Mr. Mikolajczyk said.

Mr. Epstein, we have a schedule that we must maintain.

Chairman MADDEN. Thank you for appearing as a witness, Mr. Epstein.

**TESTIMONY OF ALAN CRANSTON, LOS ALTOS, CALIF.—Resumed**

Chairman MADDEN. Is Alan Cranston here?

You have been sworn; have you not, Mr. Cranston?

Mr. CRANSTON. Yes; I have.

Chairman MADDEN. And your address is already in the record.

You may proceed, Mr. Machrowicz.

Mr. MACHROWICZ. Mr. Cranston, I will read your answer to my last statement when we last adjourned your testimony. I stated as follows:

They told us differently. They told us that you ordered them to conform to your views and that you made no complaints against the Communist but, rather only against Mr. Kreutz.

The "They" means Mr. Lang and Mr. Simon. Then, Mr. Cranston, you asked this question:

Do you have specific testimony from Mr. Lang to that effect?

I answered "Yes." I thought probably you should know what Mr. Lang and Mr. Simon testified.

I would like to read to you what I had in mind, which evidently you had no knowledge of at the time. I am quoting now from the official transcript as recorded November 12, 1952, in these hearings. This is Mr. Lang testifying [reading]:

Mr. MACHROWICZ. What did they tell you about the so-called foreign-language situation in Detroit?

The "They" referred to you, Mr. Cranston, and Mrs. Shea. The record continues:

Mr. LANG. That the Polish commentators were—I don't remember the exact language, but they used the colloquial expression "going haywire"—making comments on a great many subjects that they thought were not in line with what our general thinking should be.

Of course, that, as you understand, is very much like Stalin does, what the "general thinking should be."

I thought in this country we did not tell people what the general thinking should be, but let the people decide for themselves. Then this follows:

Mr. MACHROWICZ. Did they specifically refer to the Katyn massacre?

Mr. LANG. The two subjects mentioned were the Katyn massacre and—yes, they did refer to that.

Mr. MACHROWICZ. So that Mr. Cranston objected to the commentator on Station WJBK making comments indicating Russian guilt for the massacre; is that correct?

Mr. LANG. Yes.

And later on this appears:

Mr. MACHROWICZ. In other words, what Mr. Cranston wanted you to do was to use your good efforts to try to convince Station WJBK in Detroit not to permit those comments which would indicate Russian guilt?

Mr. LANG. That is right.

Mr. MACHROWICZ. And wasn't that a form of censorship?

Mr. LANG. Yes; I would suppose you could call it that.

**Mr. MACHROWICZ.** Was that not contrary to the spirit of the Federal Communications Act?

**Mr. LANG.** Yes.

Now, just to get the record straight, Mr. Simon testified as follows on the same day:

**Mr. MACHROWICZ.** I have one question. Mr. Simon, didn't you consider this request of Mr. Cranston as an attempt to gag the radio commentators?

And that is referring to the same request as has been testified before.

**Mr. SIMON.** I did.

**Mr. MACHROWICZ.** Didn't you consider that to be a violation of the spirit of the Federal Communications Act?

**Mr. SIMON.** I did.

Do you wish to make any comments on that?

**Mr. CRANSTON.** In the first place, Mr. Machrowicz, I feel their memory is faulty in that I am quite certain, although I do not have a direct memory of this, as I stated yesterday, on this, that at this meeting we must have told them there were extreme views being stated on both subjects.

**Mr. MACHROWICZ.** They did not make that remark; I will say that, but they did say that the particular commentary you objected to was that of Mr. Kreutz, because it did not conform to what you thought our general thinking should be.

**Mr. CRANSTON.** I am quite sure we would have objected to both, sir, although, as I stated, I do not remember precisely what happened at the meeting.

It was also within the framework of American policy not to tell the people what to think, but to seek and play up support for the United Nations.

**Mr. MACHROWICZ.** Am I to understand that it was not within the scope of your duties to tell anyone what your general thinking should be?

**Mr. CRANSTON.** Yes.

**Mr. MACHROWICZ.** I am very happy to hear that.

**Mr. CRANSTON.** I might also say there the attitude toward the meeting has changed since the time, following the meeting being held, because at a time shortly thereafter, as I testified yesterday, Mr. Lang and Mr. Simon published an article in which they made no criticism of OWI in relation to the meeting, and, as a matter of fact, indicated a feeling that there be good cooperation between us in dealing with what they called an acute predicament in Detroit.

**Mr. MACHROWICZ.** Of course, they were station owners—were they not?—and they did not want to do anything to antagonize the Federal Communications Commission?

**Mr. CRANSTON.** We had no authority over licenses, and we at no time discussed with the FCC whether license applications were pending or not.

**Mr. MACHROWICZ.** But if you will refresh your memory, which I gather is hazy on that point again, they did testify to the very same thing just a few minutes after this happened, before the special congressional committee investigating the Federal Communications Commission.

So, they did not change their minds. But that is the very same thing they said there. And, if you care to, I will read that testimony.

Of course, I did not see the article, but I can understand how a person who operates a radio station would do everything not to antagonize the FCC.

Mr. MITCHELL. For your information, Mr. Lang testified before the committee that Joe Lang's license was up for renewal exactly at the same time that you people were in New York City. Is that a strange coincidence?

Mr. CRANSTON. The coincidence was brought about by the fact that there was trouble.

To my knowledge, this was not a radio station involving Mr. Lang.

Did he own this station, or was it another station?

Mr. MITCHELL. He owned the station. I do not remember which one it was.

Mr. CRANSTON. In Detroit?

Mr. MITCHELL. No; in New York.

Mr. CRANSTON. The meeting in New York, as far as all your questions concerning me dealt with a radio station in Detroit.

Mr. MITCHELL. That is correct. But Mr. Lang's own personal radio station at that time was up for license renewal.

Mr. CRANSTON. But that would have nothing to do with a complaint on a radio station in Detroit.

Mr. MACHROWICZ. The fact is that you did indirectly what you had no right to do directly under the law, and you did succeed in having removed from the radio station in Detroit a commentator who had anti-Communist leaning, whereas the commentator who had Communist leanings was permitted to remain.

Mr. CRANSTON. I don't believe we requested anyone to be withdrawn from the air, because we had no authority to do so.

Mr. MACHROWICZ. But there are gentle ways to have it understood.

Mr. CRANSTON. But we suggested that they tone down controversies going on on the air in Detroit which, in our opinion, jeopardized the American war effort.

But, I want to repeat, this had nothing to do apparently with Mr. Lang's radio station and his license. He was present at the meeting. He was a member of the committee which dealt with it on a Nation-wide basis. His own station was not involved.

Mr. MACHROWICZ. Do you think that any broadcast, whether in Polish, English, or any language, which tended to warn the Americans about the dangers of communism, was dangerous to our national interests?

Mr. CRANSTON. No, sir; I do not. I do feel that broadcasts which would tend to disrupt the United Nations at a time that we were in a war may jeopardize the national interests.

Mr. MACHROWICZ. Particularly with reference to the Russians.

I want to quote to you Mr. Davis' testimony. Mr. Davis was at that time your chief. He testified on November 11 before this committee as follows—Mr. Mitchell propounded this question:

I cannot understand why Mr. Cranston's particular function fitted in with this capacity, since it was not the function of the OWI to handle news within the country.

Mr. DAVIS. Strictly speaking, he had no authority.

Later on the testimony is as follows:

**Mr. MITCHELL.** Well, I still can't understand why Cranston, in his capacity in the OWI, would in any way— that was the authority of somebody else; wasn't it? Wasn't it the function of the OWI?

**Mr. DAVIS.** No; it certainly wasn't the function of anyone else that I could think of. I don't know that it was properly the function of the OWI. As to why he did this you had better ask Cranston.

That was not your function; was it?

**Mr. CRANSTON.** Sir, you asked what the policy of the United States Government was in these matters.

**Mr. MACHROWICZ.** I want to know if this was your function—to try to remove someone whose views did not concur with yours.

**Mr. CRANSTON.** I repeat, we did not try to remove anyone. At a meeting in September 1942 it was clearly established that the final question as to removal involved the Office of Censorship.

**Mr. MACHROWICZ.** But this particular matter was outside the scope of your particular activity.

**Mr. CRANSTON.** I believe the content of the material on the air, short of the question of whether or not a man should be expelled from the air, did continue to be a function of the Office of War Information because we were seeking to reach foreign groups in this country, where the material may make them decide to increase their support of the war effort.

This was particularly important in areas like Detroit, where there was extensive war work going on in factories.

**Mr. MACHROWICZ.** All I can say is that Mr. Davis, your chief, disagrees with you.

**Mr. CRANSTON.** All I can say is that Mr. Davis never rebuked me for activity in the OWI as to this or any other matter; that my efficiency ratings were always of the highest; that when I left OWI I received letters from Mr. Davis and others praising me for the work I had done in OWI.

**Mr. MACHROWICZ.** I might also say that you were so concerned with winning the war that you forgot the fact that we must also win the peace.

**Chairman MADDEN.** Mr. O'Konski.

**Mr. O'KONSKI.** Mr. Cranston, suppose you owned a so-called foreign-language station in the city of Detroit, and suppose you had probably \$40,000 or \$50,000 in mortgage on that station, and that everything you had, everything you owned, was invested in that radio station.

Then suppose someone gently came over to you indirectly and whispered in your ear a rumor, say, that the OWI is on your back; they are investigating a certain commentator and certain things that are going on the air in the Polish language, and they also convey to you the rumor that the FCC had a representative at this meeting where it was discussed, and that there is a possibility that the FCC is interested in this thing.

Even if they directly did not say, "Remove that man off the air," put yourself in their position. If those rumors were flying around, what would you do with that commentator? Would you fire him?

**Mr. CRANSTON.** I am not certain that I would. I would examine what he had said, but I would have my interests and my activities guided by my business interests and by the success of the war effort.

Mr. O'KONSKI. You would be quite a worried man if that happened; would you not?

Mr. CRANSTON. I would be if I was told by a representative of the American Government that material going out on the air over my radio station was deemed to be interfering with the American war effort. I would be deeply concerned.

Mr. O'KONSKI. Even if you knew that those plans of broadcasts were going to people who had the highest rate of voluntary enlistments of any segment of our population, who had the lowest absentee rating in war industries throughout the United States of America of any segment of our population, and even if those people in that particular area listening to those broadcasts were the first who oversubscribed their quota on war bonds?

In other words, if you had definite proof that those broadcasts were not interfering with the war effort, you would still be a worried man, would you not, if that kind of pressure was put on you?

Mr. CRANSTON. Mr. O'Konski, if these broadcasts had just commenced, which apparently was the case, I might be afraid they would jeopardize the high record of that community.

Mr. O'KONSKI. Did anybody inform you that in spite of the fact that Poland was betrayed by Russia in league with Hitler in 1939, in September of that year, that the Poles still fought on the side of the Russians?

Was that ever brought out to you?

It did not jeopardize their effort.

Mr. CRANSTON. Did you say they fought on the side of the Russians?

Mr. O'KONSKI. Yes, in league with Hitler, in September 1939, Stalin and Hitler made an agreement, and they dissected Poland between themselves.

In other words, they were stabbed in the back by Russia. And still they organized an army and they fought alongside of Russia. They fought at Tobruk, at Monte Cassino. They were the only army sent to Narvik, Norway. They helped in the evacuation at Dunkirk. They fought in London when Hitler was attacking London. They fought in Normandy.

And that was all after Russia gave them the kind of treatment she did.

They were stabbed in the back at Yalta and they still fought alongside Russia.

In other words, there were no people who could have been persecuted and dissected more than they were, by the Russians, but they still fought on and did not lose their patriotism.

Did anybody ever point out to you that they were not the kind of people who would be likely to waver or slow down in the war effort if those things were brought out to the people?

Mr. CRANSTON. I was aware of these facts and I know that the Polish record was very great and very gallant in the war.

Mr. O'KONSKI. But still you were afraid this might change their attitude and they might let down?

Mr. CRANSTON. I would like to cite one reason for having that opinion. There came across my desk at that time something I can't quote to you directly. But there was a memorandum from the OSS. I made a notation about it because it seemed important and pertinent.

It was from the Foreign Nationality Branch of the OSS, dated June 24, 1942. The OSS, you will recall, was headed by Gen. "Wild Bill" Donovan, who was one of those men who was well aware of the Russian menace early in the game. The OSS was directly under the Joint Chiefs of Staff.

This memorandum analyzed the Russian-Polish controversy as it was going on in this country among Polish Americans and other groups, and with particular emphasis upon the activities of those who were stirred up by the border controversy, by Katyn, and so forth, and so on.

And the conclusion in this report was that there was being transferred to American soil this Polish-Russian battle in a manner which might well jeopardize interallied relations and the American war effort.

Now, that is not my conclusion; that is an OSS report that I am referring to.

Mr. O'KONSKI. In 1942?

Mr. CRANSTON. 1942 or 1943; I am not sure. I can't read my writing here on this note.

Mr. O'KONSKI. In 1942, the question of—

Mr. CRANSTON. If it was 1942, Katyn was not in it. But this related to this whole controversy which was a running controversy, as you know, throughout the war in this country.

Mr. O'KONSKI. 1942 was evidently when the Colonel Szymanski report must have shown up in the Pentagon Building.

Mr. CRANSTON. Possibly. I don't know.

Mr. MITCHELL. Are you familiar with the fact that in August 1941 began the formation of the Polish Army to fight on the side of the Allies?

Mr. CRANSTON. I know one was formed, but I don't know exactly when.

Mr. MITCHELL. That was August 1941.

Mr. CRANSTON. I would like also to state that no one of the documents that you gentlemen have uncovered, which were available to our Government during the war, tending to indicate Soviet guilt for the massacre, ever came to my attention, or the attention of my Division throughout the war.

They never reached there.

Mr. SHEEHAN. Of course, you see, your last remark is the whole nub and substance of what we are trying to do here today.

Mr. CRANSTON. I recognize that.

Mr. SHEEHAN. We are trying to find out why Soviet Russia was protected at all levels of the government. We feel it is our duty to the American people to bring out the facts so that the American people can realize that some place along the line someone has tried to hide the duplicity of the Soviet Government.

Mr. CRANSTON. I recognize that. I think you have done a marvelous job, and I simply want to point out that this never even reached me. I had no chance to suppress it because it never reached me and I never would have had a chance to suppress it because if it had reached me, I think the facts should have been brought out to the American people.



Mr. SHEEHAN. The reason why we bring it out is that we hoped you would help to give us the clues as to where we eventually want to go, because, as you can see from the testimony Mr. Machrowicz brought out, Mr. Lang's and Mr. Simon's testimony is exactly opposite to what you said.

Mr. CRANSTON. I recognize that.

Mr. SHEEHAN. They stated practically categorically that you told them not to broadcast.

Now, to get the record straight, when you were on the stand the other day we were talking about a David Carr and also brought in the idea of the United World Federalists.

I want to say, frankly, that I, personally—and I know some of the other members of the committee—am concerned about a fellow with your particular background in the United World Federalists, that your leanings were toward Russia at that time.

Now, as you explained, you did not have the information. But we want to correct the record in asking you about Mr. David Carr, whom you personally hired and personally recommended, because Mr. Carr stated in previous testimony that he did not apply for a job with the Government.

Mr. CRANSTON. I don't understand that. How did he not apply if he was employed? You have to actually apply, I believe, to be employed.

Mr. SHEEHAN. If you look at the record that the committee has, he apparently contacted you, and you asked him to come to the Government. He himself did not go to the Government for a position.

Mr. CRANSTON. That is quite possible. But he then applied.

Mr. SHEEHAN. Yes; after contacting you, he came at your recommendation.

You went on to state, with reference to Mr. Carr and his Communist affiliations, in your testimony, about when you hired him:

I knew him fairly well. I knew him before he became employed there.

That was with reference to Mr. Carr.

Then you went on a little bit later in your testimony and said:

I knew that at the age of 17 he had written two signed articles for the Daily Worker. He had told me he was not a Communist; that he was just a kid who was Jewish, who was violently aroused over the Nazi atrocities and felt that the Communists were more aware of them than any others at that time, and he therefore wrote these two articles at the tender age of 17. He denied he had ever been a Communist.

Mr. MITCHELL. Mr. Sheehan, you are reading from the official record now, are you?

Mr. SHEEHAN. From the transcript as Mr. Cranston testified the other day.

I am sure you just did that because of lack of facts, because if you refer to the hearings of April 6, in an investigation by the Un-American Activities Committee of un-American propaganda activities in the United States, held by a subcommittee of a Special Committee To Investigate Un-American Activities in the House of Representatives, the following will be found in that report:

No. 1, that Mr. Carr was not at the tender age of 17 at the time, because he was born on August 4, 1918.

Mr. CRANSTON. I was referring to the time he wrote for the Daily Worker. Do you have the date of those articles?

Mr. SHEEHAN. Yes. I am coming to that. This is when he was born.

Mr. CRANSTON. 1918.

Mr. SHEEHAN. Right.

Now, in the Daily Worker he was employed there in 1938, which would make him 20 years old. So he was not a kid who did not know the facts of life. Is that right, or wrong?

Mr. CRANSTON. If that is the date of his birth and of the articles; yes, he was 20 years old.

Mr. SHEEHAN. If you don't mind, I will put it in the record, or, if it is wrong, I can change it. But I want to go on with this.

Now, Mr. Carr was testifying here on page 3389 of the hearing record, and he was talking about his affiliations with the Daily Worker. I am quoting him from page 3389:

I visited him—

That is a Mr. Wakefield, who was, I believe, an editor of the Daily Worker—

a number of times at the Daily Worker offices and we became friendly. He asked me if I would write down certain material for him. I wrote it down for him and he asked me if he could print it. After considering it briefly I said yes. As a result, about five or six articles, including the attack upon the chairman of this committee by myself, were printed in the Daily Worker.

And a little bit later on, Mr. Matthews, who was the questioner, asked:

How long a period did you collaborate in the way in which you stated it, with Lowell Wakefield and the Daily Worker?

Mr. CARR. Oh, it could not have been 4 or 5 months.

In other words, it was slightly under 4 months at the most.

So, to correct the record, Mr. Carr was no novice 17 years old and he did not write just one or two articles; he worked very closely with the Daily Worker for a period of months.

Mr. MACHROWICZ. Could I ask one question there?

Mr. SHEEHAN. Yes.

Mr. MACHROWICZ. I would like to correct the record in another instance.

You testified here 2 days ago that a man named Matuzewski was the principal writer and editor of the Nowt Swiat.

Mr. CRANSTON. Not the editor, sir. He wrote articles for it.

Mr. MACHROWICZ. I will read your testimony, if your memory is hazy on that:

I would like to add that the principal writer on that newspaper was a man named Matuzewski—

Mr. CRANSTON. Yes, sir.

Mr. MACHROWICZ. Do you still say that?

Mr. CRANSTON. His writings, I would say, dominated the pages because they were brilliantly written, hard-hitting polenics.

Mr. MACHROWICZ. And, further:

who was required to register as a foreign agent by the Department of Justice.

I might say that since you made that statement I have examined the files and records and I find that he wrote only several articles within a year's period for that newspaper; that he was not a principal writer and this foreign agent that you are speaking of, of this "terrible government which I thought probably was a Nazi power," but happens to be the London Polish Government.

Mr. CRANSTON. Yes, sir.

Mr. MACHROWICZ. So he was an agent of a government which was allied with us at that time.

Mr. CRANSTON. That is right.

Mr. MACHROWICZ. And he was not a principal writer. He wrote a few articles, all of them urging Americans of Polish descent to cooperate with the United States as the last hope of the Poles.

Mr. CRANSTON. His articles did attract a great deal of attention.

Mr. MACHROWICZ. They certainly should have. I regret very much they were not reprinted in the English language. They were very interesting and had some very valuable material.

Mr. SHEEHAN. Mr. Cranston, we are following this line of reasoning because there is a doubt in my mind that maybe you did have something to do with setting official policy, and you did have something to do with holding down the Katyn information on Russia, because of your past connections.

You got the chance to clear yourself enough, and that is what we want you to do, because we find, in looking over the organizations to which you belong and your connections, that there is possibly some question.

For instance, you were president of the United World Federalists during November 1949, were you not?

Mr. CRANSTON. Yes, sir.

Mr. SHEEHAN. Dr. Harold Urey, the atomic physicist announced his resignation as director of the United World Federalists in November 1949, on the ground that he could not agree with the organization's "stand on Russia." Do you know why he quit?

Mr. CRANSTON. It has been the position of the United World Federalists and was at that time that our ultimate objective was to get a stronger United Nations, with all nations in the world in it, including ourselves and the Soviet Union where, among other things, they would be deprived of the veto which they had exercised so many times, which Mr. O'Konski referred to yesterday.

We believe that is the way to ultimately solve this problem of war and peace. We believe all nations should be in it.

I believe he resigned because he thought perhaps it could not be done with the Soviet Union in it. He now subscribes to a different point of view, which advocates the federation of an Atlantic democracy.

Mr. SHEEHAN. In other words, you still felt that, as the president, that at all costs, in other words, we are going to try to work with Russia on some basis?

Mr. CRANSTON. Not at all costs.

Mr. SHEEHAN. Some costs, I should say.

Mr. CRANSTON. We believe the United Nations is stronger now with the Russians in it than out of it.

**Mr. SHEEHAN.** Do the United World Federalists believe that in spite of all the evidence printed up that they do not keep political agreements—

**Mr. CRANSTON.** We don't believe it should be based on paper promises that they are able to tear up at any time. We believe it should be done by law, so that they would be forced to keep agreements once reached, as are the people under American law.

I would like to say that the Communists have been violently opposed to the United World Federalists. I could present to you, if I had the opportunity to get them, many quotations from the *Daily Worker*, from Radio Moscow, from Pravda, from various Communist leaders, bitterly attacking the policies of the United World Federalists.

They believe we are opposed to their interests, and we believe we are opposed to their interests.

People who support the program of the United World Federalists in this country and in other countries range from many prominent business leaders and labor leaders, to many people in this Congress, who were not members of our organization, but who have supported resolutions that we have introduced.

I would like to cite just one, because he is symptomatic on this point, and that is Walter Judd. I would also like to add that Pope Pius himself has in general endorsed the theory of a stronger United Nations with the power of law. He received a delegation of ours in Rome about a year ago.

**Mr. SHEEHAN.** Of course, the Pope did not want the national unity of the independent countries to be submerged.

**Mr. CRANSTON.** To which we agree.

**Mr. SHEEHAN.** In so far as concerns the aims and beliefs of the United World Federalists and your opposition to communism, I would suggest you get the report of the House Un-American Activities Committee dealing with the United World Federalist Inc. They have gotten out a 12-page documentation on the subject of the United World Federalists, and I am going to cite a couple of things from there to show you that it is quite a bit at variance with your thoughts.

No. 1 is that you have, as a member of your board of directors, a Mrs. J. Borden Harriman. If you will look at this record you will find out that she has been connected with quite a few fronts, Communist fronts, and is still apparently connected with them, which have been termed subversive and Communist by the Attorney General, Tom Clark.

Now, if you are interested and intent on getting rid of all these people who are so close to Russian causes, do you think that she should be on the board of directors?

And if you will check this record you will find about 4 or 5 pages in which they have direct references to Walter Reuther, who is also a member of your board of directors, where he has been named in instances as a member of the Communist Party.

And I will quote directly, so that there will be no question about what I am saying, that I am saying it. In this pamphlet, on page 4, there is a heading "Walter P. Reuther," and there is testimony in here from John P. Frey, who was president of the Metal Trades Department of the American Federation of Labor, when he gave this

report before the Special Committee on Un-American Activities on August 13, 1938.

Mr. Frey apparently handed over a list of people who were Communists, or closely affiliated with Communists. He names among them, item No. 134, Walter Reuther, Detroit, Mich.:

This fellow is one of the leaders of the Auto Workers Union, and President Martin has preferred charges against him. He visited Soviet Russia and sent back a letter to this country which included the following paragraph:

"Carry on the fight for a Soviet America."

Then this goes on and lists about five pages on Mr. Reuther.

Chairman MADDEN. Who is it that made that statement there?

Mr. SHEEHAN. Mr. Frey, in a congressional hearing, who is president of the metal trades department of the American Federation of Labor. That is John P. Frey.

Chairman MADDEN. Wait a minute. Is that part of a Congressional Record?

Mr. SHEEHAN. Yes.

Chairman MADDEN. Do you want to incorporate that as part of our record?

Mr. SHEEHAN. Yes, I would like to. This is taken from a document of the House Un-American Activities Committee, and they are quoting from the Congressional Record.

Chairman MADDEN. I think that where a charge like that is being made before this committee regarding anybody, they ought to have an opportunity to come in here and answer some of these questions.

Mr. SHEEHAN. Mr. Chairman, I suggest we make this part of our record, classify it as an exhibit.

Mr. MITCHELL. That will be exhibit 37.

Chairman MADDEN. It may be so marked.

(The document referred to was marked as "Exhibit No. 37," and appears in the appendix of this record.)

Mr. SHEEHAN. In all due deference to Mr. Reuther, it is not stated he is a Communist now, whether he has been cleared, or whether he never was, that I don't know. I am merely quoting from the record.

It seems to me there are enough fuzzy-minded people—I think that is an apt expression—in your organization who go along with the aims of Communist Russia.

Chairman MADDEN. Wait just a minute here.

Would you read the statement, Mr. Reporter, that Mr. Sheehan made about Mr. Reuther, that he is not a Communist now?

Mr. SHEEHAN. I said that.

Chairman MADDEN. I think that is a bad inference. You made the statement that Mr. Reuther is not a Communist now. You are inferring that he was a Communist.

Mr. SHEEHAN. No. I say he was named in congressional hearings as a member of the Communist Party.

Chairman MADDEN. But you made the statement for our committee's record that Mr. Reuther is not a Communist now.

Mr. SHEEHAN. Let us change that, in fairness to him.

Chairman MADDEN. You are inferring there that he was a Communist.

Mr. SHEEHAN. I don't mean to infer that, because, as far as I know, he never was.

Chairman MADDEN. I think you ought to change the wording. You said that he is not a Communist now, and a statement like that would infer that he had been a Communist.

Mr. SHEEHAN. Let us change that to say that it is my opinion, from the record, that Mr. Reuther, as far as is known, is not a Communist—period.

Is that right?

Chairman MADDEN. Yes.

Mr. MACHROWICZ. And as far as I am concerned, so that there be no misunderstanding, it is my firm opinion that he never was a Communist. As a matter of fact, he is very active in removing communism from labor ranks.

Mr. SHEEHAN. I said, "He is not a Communist—period."

Chairman MADDEN. I think you are deviating a great deal from the Katyn hearing when you are going all over right and left field in covering some of this testimony that you are going into now.

I think our committee now, up until this seance that you are going into here, has had a wonderful record about not smearing people, and I think that is an indirect smear at Mr. Reuther.

Mr. SHEEHAN. It was not meant to be that, I assure you.

Chairman MADDEN. Let us confine ourselves to the Katyn hearing and not go back over volumes of testimony from other committees of Congress.

After all, that testimony is on record. I do not think it is going to help our committee to bring in a lot of names that have been mentioned in other congressional committee hearings back through the years.

And I cannot see any purpose for it. I think we ought to confine ourselves to the Katyn hearings. We have a wonderful record so far in confining our hearings to the Katyn massacre.

Mr. SHEEHAN. Might I have 2 minutes to bring it right back to Katyn?

Chairman MADDEN. Yes.

Mr. DONDERO. Just a moment.

I think the chairman is correct in wanting to confine it to the subject of Katyn. But what Mr. Sheehan is trying to bring out is the fact that the witness is a member of the World Federalists organization, which contains people whose views, so far as Americanism is concerned, certainly can be questioned.

Chairman MADDEN. Absolutely. I agree with Mr. Dondero.

Mr. SHEEHAN. That is the only reason why I put this in, to show that this gentleman's connection with the World Federalists and some of the people connected with it might have been influencing him in his work with the Government in 1943.

Chairman MADDEN. Let us confine the testimony to the witness then.

Mr. SHEEHAN. You heard the statement, Mr. Cranston, and you naturally have a chance to say whether or not it is a fact that the people you associated with did not have something to do with your setting the policy in 1943 and 1944.

Mr. CRANSTON. My association with all the people in the United World Federalists came later, after my period in OWI.

I would like to say that I am proud, and also, let me say, a bit relieved, to find that 5 of the 13 pages of this report from the Un-American Activities Committee are based upon Walter Reuther, who

is noted for his violent, strong, vigorous anticommunism in American labor circles. I think that is symptomatic of the sort of people who are active in the leadership of the United World Federalists, and we have been equally vigilant about Communists in our organization.

Mr. SHEEHAN. But could you, on the basis of your interest in a United World and trying to protect Russia—

Mr. CRANSTON. The purpose is not to protect Russia; it is to keep this country out of ever-recurring, ever-more destructive war.

Mr. SHEEHAN. That is a matter of opinion.

Mr. CRANSTON. If you would read the documents of the United World Federalists, you could see our policy. You can see we say nothing about appeasing Russia.

Mr. SHEEHAN. But you don't say anything bad about her, either, in spite of all the evidence we have built up in our committee.

Mr. CRANSTON. I could furnish you many speeches of mine in which I said many unpleasant things about the Soviet Union.

We also have in our bylaws a provision against Communist membership in UWF, which I think relates directly to that point, sir.

Chairman MADDEN. I want to make this comment for the record: I am indeed sorry that Walter Reuther's name has been brought into this hearing.

When Congressmen Dondero, Machrowicz, and myself were sailing to London and Germany to hold hearings we met representatives of union labor on the boat. Members representing the AFL, the CIO, and the railroad brotherhoods. They were representatives of American labor going over to work in conjunction with labor unions in Europe to advise then on fighting communism within the ranks of labor unions in Europe.

This was not their first trip. These men representing American labor unions, had made a number of trips during the last 5 or 6 years to Europe. Their mission was at union expense, not at the expense of the taxpayers. They were fighting the Communists that were infiltrating labor unions in Europe. Labor leaders and unions have done great work curbing communism both in America and Europe.

And it is unfair at this hearing to bring out the name of a prominent man connected with a prominent labor union and unjustly infer communistic tendencies.

I can say that the Communist strategy has always been to infiltrate labor. Labor organizations in America have done more not only here in America, but across the water, to curb the infiltration of communism than any other organization.

You may proceed, Mr. O'Konski.

Mr. O'KONSKI. Mr. Cranston, you, of course, now know the true story about Katyn, do you not?

Mr. CRANSTON. I believe that it was done by the Communists, from the evidence that I found this committee has put out.

Mr. O'KONSKI. As one interested in world federation and the establishment of international court tribunals to punish international criminals, do you feel, from what you now know, that you would put the weight of your organization, the United World Federalists, to bring Russia to trial for this ghastly crime and to mete out some just punishment to them? Would you go along with that?

Mr. CRANSTON. I don't think the organization would feel that it, as an organization, should become involved in that particular thing.

I, as an individual, feel—and I can't speak for it, I am not president of the organization now—I do feel that the people who were responsible for that crime should be brought to trial, and I hope there will be world institutions capable of dealing with them.

Mr. O'KONSKI. You strongly feel so?

Mr. CRANSTON. I do.

Mr. O'KONSKI. Thank you very much.

Chairman MADDEN. Are there any further questions?

Mr. MACHROWICZ. I would like to ask one question.

I do not quote follow your line of thinking. You say you are convinced now that the Communists committed the crime. If you had been convinced back then that the Communists committed the crime, would you still continue your effort to gag the commentators because it might interfere with the war effort?

Mr. CRANSTON. I don't think so, sir. I do not feel we should have suppressed facts as facts existed, whether they were against one of our allies, or not. Part of the motivation at that time was the general assumption that this was a Nazi propaganda trick.

Mr. MACHROWICZ. And the only reason you attempted to gag it is that you did not happen to believe the same thing that other people believed?

Mr. CRANSTON. We felt it was a Nazi propaganda trick and we felt it was divisive to the American war effort at that time.

And we had reports such as the one from the OSS which was under the military, which indicated that was the fact.

Mr. MACHROWICZ. At that time there were frequent attacks in the radio and in the press, and there are now, as a matter of fact, attacks against Great Britain.

Did you ever attempt to gag any commentator because he attacked Great Britain?

Mr. CRANSTON. I don't think we made any attempt to gag anyone.

Mr. MACHROWICZ. Indirectly.

Mr. CRANSTON. We did at times. We did, the Italian-language newspapers to start harping so much about the British.

Mr. MACHROWICZ. That is all.

Mr. MITCHELL. Mr. Chairman, I have a few questions.

Chairman MADDEN. Go right ahead.

Mr. MITCHELL. Mr. Cranston, yesterday when you were testifying, you were setting forth your duties in OWI. For the record, again, will you specifically enumerate the position you had?

What I mean exactly is this: What was your direct connection with radio in the OWI?

Mr. CRANSTON. We used the press and foreign-language media among others, for dissemination of information.

Mr. MITCHELL. Did you have control of radio work in the OWI?

Mr. CRANSTON. In the Domestic Branch.

Mr. MITCHELL. Who was Lee Falk?

Mr. CRANSTON. He was my assistant.

Mr. MITCHELL. Mr. Pucinski has a question or two on that.

Mr. PUCINSKI. Mr. Cranston, did you hire Lee Falk?

Mr. CRANSTON. Yes, sir.

Mr. PUCINSKI. Did you place a great deal of confidence in his ability?

Mr. CRANSTON. Yes. I wouldn't have employed him had I not.



Mr. PUCINSKI. Had you at any time given him any specific instructions on what his job was?

Mr. CRANSTON. I am sure I did; yes, sir.

Mr. PUCINSKI. What was his job?

Mr. CRANSTON. His primary job was to prepare materials for release through foreign-language radio stations to be in touch with people working in that field in this country.

Mr. PUCINSKI. Did you ever instruct him to make any effort to remove from the air people who were not going along with the OWI line?

Mr. CRANSTON. No, sir. I have to qualify this answer, however, not a flat no.

What occurred, as I told you yesterday, was that the committee asked us, and they specifically asked Lee Falk, the committee of the radio industry in the foreign-language field, if we would help clear personnel where there was a question as to their reliability on the air. This was done at their request, not at our instigation.

Thereafter, when there was some doubt in the minds of managers of the radio stations, or the program manager, as to the desirability of someone being on the air in relationship to the success of the American war effort, they would ask us about that person. We would then ask the FBI and other agencies if they had any information on that man. And, without giving details or sources, we would then indicate our belief about this man back to this committee.

The committee was then left to act at its own discretion, whether they wished to bar someone from the air, or not bar them.

Mr. PUCINSKI. You have just told Mr. Machrowicz—and I am going to try and quote you correctly—that, “We at no time attempted to gag anyone.”

Mr. CRANSTON. We did not attempt to gag. At the request of industry, we gave them information on people they had on the air, and it was up to them to gag or not to gag.

Mr. PUCINSKI. I am going to read you very briefly two excerpts and show how they compare now to what you just said regarding Mr. Falk. The first is a conversation Mr. Falk had had with Mr. Richards, who was then with the Office of War Censorship.

Mr. MITCHELL. What is the source of that?

Mr. PUCINSKI. From page 494 of volume I of the Cox committee hearings on the Federal Communications Commission.

Mr. Richards has identified this memorandum to us. He quotes an experience that he had with Mr. Lee Falk, of the Foreign Language Section, Radio Division, Office of War Information. He said that Mr. Falk originally had taken on a job of removing unsavory personnel from foreign-language stations because he, Mr. Falk, believed such a job had to be done and no one else seemed to want to do it.

Mr. Lee Falk is quoted as working it this way by Mr. Richards:

If Lee found a fellow he thought was doing some funny business, he told me about it.

That is, he told Mr. Spears, of the Federal Communications legal staff.

Then we waited until the station applied for a renewal of license. Say the station was WBNX and the broadcaster in question was Leopold Hurdsky. Well, when WBNX applied for a renewal, we would tip off Lee, and we would drop in on Mr. Elkhorn, the station manager. He would say, “Mr. Elkhorn, I believe you

ought to fire Leopold Hurdsky." Then he would give Mr. Elkhorn some time to think this over. After a couple of weeks, Mr. Elkhorn would begin to notice he was having some trouble getting his license renewed. After a couple of more weeks of this same thing, he would begin to put two and two together and get four. Then he would fire Leopold Hurdsky and very shortly thereafter his license would be renewed by the Commission. This was a little extralegal, I admit, and I had to wrestle with my conscience about it, but it seemed the only way to eliminate this kind of person, so I did it. "We can cooperate in the same way," Mr. Falk told Mr. Richards.

Now, was that in the scope of Mr. Falk's duties?

Mr. CRANSTON. Who was it that said there this seemed extralegal that we cooperated because there was no other way to do it?

Mr. PUCINSKI. Mr. Spear, of the FCC.

Now, would you tell me, was that within the scope of Mr. Falk's duties, your assistant?

Mr. CRANSTON. I don't have knowledge of any such elaborate plan designed to bring pressure upon the radio stations.

I think that was within the scope of his duties to call attention to people on radio stations where there were people who were broadcasting material inimical to the war effort.

Mr. PUCINSKI. I am going to read you another excerpt from a memorandum of Mr. Richards. This is taken from page 486 of the same volume I previously quoted from.

Mr. MITCHELL. Which was taken in public testimony.

You know who Mr. Richards is?

Mr. CRANSTON. Yes, I do.

Mr. PUCINSKI. This conversation Mr. Richards had with Mr. Falk was on August 25, 1942. I am not going to read the whole statement. Among other things, Mr. Richards quotes Mr. Falk as saying—and, incidentally, Mr. Richards has already identified this memorandum as being correct—he says:

Lee Falk said, "You can listen to these broadcasts day after day for months and not get enough on them. You must find out what their past associations have been and if they were open to suspicion, convict them on that and take them off the air. You might find out what their past associations have been, and if they are guilty of that, convict them on that and take them off the air." He asked that we notify the Office of War Information on any plans we had to take a man off the air before we took him off. He said this would give the OWI some candidate to replace the man. And these candidates would be submitted to the station managers for consideration. I wonder how a station manager would look upon such a procedure.

Now, you notice Mr. Falk introduces an interesting document of guilt by association to begin with. Was that within his duties as your assistant?

Mr. CRANSTON. I would like to point out that that would seem to coincide, that business of looking into a man's background, with a statement that was issued by the Attorney General's office on September 18, 1942.

Mr. MITCHELL. Just a minute. Was he an investigator?

Mr. CRANSTON. Mr. Falk?

Mr. MITCHELL. Yes.

Mr. CRANSTON. No, he was not.

Mr. MITCHELL. You testified yesterday that your organization, the OWI, had a security and loyalty investigative unit; is that correct?

Mr. CRANSTON. I testified that we had none in my division.

Mr. MITCHELL. Over-all?

Mr. CRANSTON. I testified that there was a checking board under some admiral at one point, just to check the loyalty of OWI officials.

There was an intelligence bureau which checked on what went on in American newspapers and radio. Neither of these was under my supervision.

The point I was about to make was that the Attorney General, on September 18, issued a statement in which he described what should be done by the Bureau of Censorship, with cooperation——

Mr. MITCHELL. What year?

Mr. CRANSTON. September 18, 1942.

Mr. MITCHELL. I know all about that statement.

Mr. CRANSTON. Let me read the pertinent part about the so-called get by association.

The point I want to make is that they thought a man's activities had some relationship to his desirability on the air. They said, in regard to people who should be considered for exclusion from the air:

The information need not establish the commission of an offense against the subversion or other criminal laws, but only that further broadcasts by the individual would be dangerous or detrimental if received abroad. Both the content of broadcasts by the individual and his record of activities would be relevant.

Mr. PUCINSKI. Following that same principle, Mr. Cranston, then, I am sure you have no objection when we today, in trying to find out why Katyn was suppressed by an agency that you headed, go far afield and try and determine your past associations. You have no objection to that, do you?

Mr. CRANSTON. Absolutely none. I think it is fair and justified. I think you have every reason to do that.

Mr. PUCINSKI. Do you want to refute the memorandum as prepared by Mr. Richards on Mr. Falk's extracurricula activities in trying to remove these broadcasters from the air?

Mr. CRANSTON. No; I don't, because I have no knowledge of any such intricate plan for this purpose.

Mr. PUCINSKI. Then do you still want to stand on a statement you made to this committee, that your agency had never attempted to gag anyone?

Mr. CRANSTON. We did not make direct recommendations, to my knowledge, for anyone to be removed from the air. We suggested that the activities of certain people were inimical to the war effort, to my knowledge.

Mr. PUCINSKI. I am going to read you another statement, then, and see if that stacks up to what you are telling us.

I am reading now a memorandum prepared by Mr. Richards, based on a conversation that he had on August 27, 1942, with Mr. Simon, who had previously testified before this committee. And that memorandum of Mr. Richards appears on page 501 of the Cox committee hearings on the FCC. The memorandum reads:

It seems that Mr. Simon was very much disturbed about the interference of Lee Falk in the OWI. And you had some comments on that.

Then I am asking Mr. Richards:

The point that I want to ask you about here is, What did you say in your memorandum?

Mr. Richards said:

Simon said that he had fired from WBEN one Michael Fioriello and one Archangelo Leopowiso, Italian language broadcasters, on the recommendation of Falk. He said that he had discharged them on August 24.

I am not going to quote but just to give you a little background.

Mr. Simon became very worried about this action, firing these two men on the recommendation of Falk. So he contacted the Office of War Censorship and he told Richards the following:

And you fellows in the Office of Censorship will have to back up the Office of War Information on these dismissals.

Now, do you want to refute Mr. Richards' memorandum of that date?

Mr. CRANSTON. I don't want to refute it. I want to again cite something which I won't bother to quote now. A letter from Simon to the industry, indicating they asked us to help them on these matters, specifically asked Lee Falk to help them.

Mr. MITCHELL. That brings us exactly to the point. Who were the industry members? What did they do? Weren't they all station owners? Let us be specific. You can say "Yes" or "No" to that. Who were the members? Were they all station owners?

Mr. CRANSTON. They were managers, executives, owners. They formed it on their own initiative at that time in May and asked us to help them.

Mr. MITCHELL. And they all had to go to the FCC to get a license; is that right?

Mr. CRANSTON. Congress had given the FCC the power to give licenses in the national interest.

Mr. MITCHELL. Just say "Yes" or "No." That is the procedure, and you know it and I know it.

Mr. CRANSTON. Yes, sir.

Mr. MITCHELL. When you got that letter from Detroit complaining about the pro-Russian attitude of a particular announcer by the name of Novak, you called Hilda Shea, Mrs. Hilda Shea. She told you at that time:

The FCC has no control over this; absolutely no control over it.

She has said that in this hearing room this week. Yet you still took the initiative, you were the one that, on your own initiative, set up the meeting in New York.

But you brought her along. Why did you bring her along?

Mr. CRANSTON. I don't know whether she came at my request or at orders from the FCC.

Mr. MITCHELL. You were the one that set up the meeting.

Mr. CRANSTON. I set up the meeting.

Mr. MITCHELL. You asked her to go; did you not?

Mr. CRANSTON. I don't know whether I did or not.

Mr. MITCHELL. She testified here you asked her to go.

Mr. CRANSTON. If she testified I did, I did.

Mr. MITCHELL. Why did you want her there? You could have handled this yourself.

Mr. CRANSTON. The FCC was an agency involved in this field, and it seemed useful to have them represented at the meeting.

Mr. MITCHELL. But she already told you, Mr. Cranston, that she could not be involved in this; this had program content in it.

Mr. CRANSTON. She apparently could be involved to the extent of being an observer, and she came for that purpose.

Mr. MITCHELL. You still have not answered my question. I want to know, after she told you on the telephone and she was quoted not only in this committee, but the Cox committee, as saying she told you that—

Mr. CRANSTON. We felt it was useful to have the FCC aware of our activities and of the activities in this field in general, and that is why we requested her presence.

Mr. MITCHELL. Specifically, let us get down to it. Poland was an ally of ours at that time; is that right, Mr. Cranston?

Mr. CRANSTON. Right.

Mr. MITCHELL. Russia was ally of ours at that time also.

Mr. CRANSTON. Right.

Mr. MITCHELL. Why, in any way, did you people take it upon yourselves in the Office of War Information to close up either the pro-Russian or the pro-Polish point of view?

Mr. CRANSTON. Because, as I have cited reports from other agencies, there was some reason to believe that these controversies were diverting people's attention from the war effort and making them concentrate—

Mr. MITCHELL. I have one more question to ask.

Have you ever been a member of the Communist Party?

Mr. CRANSTON. I am glad under oath to have the opportunity to say "No."

Mr. MITCHELL. You are saying "No"?

Mr. CRANSTON. I am saying "No," flatly.

Mr. MITCHELL. I don't want any aspersions cast one way or the other about it. That is why I asked you the question, because there may be some innuendo.

Mr. CRANSTON. Thanks for the opportunity.

Mr. O'KONSKI. Mr. Cranston, would you not say it all resolves down to this: Ambassador Ciechanowski, in one of his last conferences with President Roosevelt—and I do not say this in a derogatory sense at all—in a conversation with him, points out in his book, for instance, that in the last days of his association with President Roosevelt, the President seemed extremely worried, and the Ambassador had occasion at one time to ask the President why he was so worried. He said:

I am fearful that we have oversold Russia to the American people.

Would you not go along with that and say that that also applies to your agency, that OWI was a part of that, including the executive and all the other agencies of our Government, that actually did oversell Russia to the American people?

Mr. CRANSTON. I believe that to be true.

Mr. O'KONSKI. You believe that also?

Mr. CRANSTON. Yes, sir.

Mr. MACHROWICZ. Just one question I have been requested to ask, and that is this: Do you know anything about the firing in Buffalo of WBI commentator Casimir Soren?

Mr. CRANSTON. No.

Mr. MACHROWICZ. Are there any other questions?

Mr. PUCINSKI. We have had various witnesses from the OWI and the FCC to carry out the mandate of this committee. The second phase

of this committee's hearings was to establish why the Kaytn massacre, with all its ramifications, was never adequately reported to the American people and to the rest of the world.

You were one of the kingpins in formulating the policy of OWI in that particular section we are dealing with. I wonder if it is a fair assumption, Mr. Cranston, that you and Mr. Falk and Mrs. Shea and various other officials of the OWI and the FCC, working in harmony or conspiracy, zealous of perpetuating and furthering the friendship of this country with Russia, had cast aside other of our allies in order to make sure that this country had a greater respect for the Soviet efforts. Is not that a fair analysis?

Mr. CRANSTON. No; I don't think that is. I think that that goes to extremes.

Mr. PUCINSKI. At what point do we go to extremes?

Mr. CRANSTON. The Katyn incident was relatively a minor one in terms of what we did in my Division in the OWI. It was not in the headlines; it was not explosive.

Mr. PUCINSKI. But it was part of the general atmosphere, was it not?

Mr. CRANSTON. It was an incident that arose that we had to deal with to some degree. But I reject the idea that there was any conspiracy.

You used that word. There was never any evidence of anything along the lines you suggest. I think Mr. O'Konski stated the matter fairly well.

Mr. MACHROWICZ. If there are no further questions, the committee will recess until 1:30 p. m.

Will counsel announce the witnesses for this afternoon, please?

Mr. MITCHELL. Col. Ivan Yeaton, formerly military attaché in Moscow, and in G-2 during the war, and Maj. Gen. Clayton Bissel, formerly Assistant Chief of Staff of G-2.

Mr. MACHROWICZ. Very well. We will now stand in recess until 1:30 p. m.

(Thereupon, at 12:15 p. m., the committee recessed, to reconvene at 1:30 p. m. same day).

#### AFTER RECESS

Chairman MADDEN. The committee will come to order.

Mr. Cranston, you said that you had something you wanted to add that you overlooked this morning. Is that right?

Mr. CRANSTON. Yes; I did, sir.

Chairman MADDEN. Take the stand.

Mr. CRANSTON. Certain facts have just been called to my attention that I want to take this opportunity to place on the record in order to have them placed in proper perspective and in focus to my testimony and earlier testimony.

I understand that at an earlier phase the facts were brought out that following receipt by the Office of War Information on May 1, 1943, of a complaint about Polish-language broadcasts in Detroit, with emphasis upon a broadcast that was pro-Communist in character but with indications that all sorts of broadcasts were causing trouble, and following the meeting with the representatives of the industry, the following things occurred in Detroit:

Kreutz, who was the anti-Russian commentator, the man who was trying to pin Katyn upon the Russians at that time, had been sus-

pended previously on three occasions for a matter of a couple of hours or so. He was not barred from the air. He was asked to restrict his activities on the air, however, to news from reputable American wire services and was requested to avoid making propaganda over the air.

I understand now that he was permitted to continue on the air until 1945, when he resigned voluntarily.

On the other hand, Novak, who was the pro-Communist commentator and who made the remarks that were brought to the attention of the Office of War Information, was permitted to remain on the air only until his contract with his station expired. Presumably the station wanted to get rid of him following the statements that we made to the industry at the time that his activities were called to our attention.

The moment his contract expired the station did get rid of him. That was in February 1944. His contract was not renewed and he was removed from the air.

Now, I submit that these facts tend to substantiate the position that I have stated that the OWI did call the industry's attention to the trouble caused by the man making pro-Communist propaganda in Detroit as well as the activities of the anti-Communist, and that the result was that the Communist was permanently taken from the air.

I appreciate your letting me make that statement, Mr. Chairman.

Mr. MACHROWICZ. Mr. Chairman, there is nothing that has been said that is not in the record, but I think your inferences are out of line. The facts are that Mr. Kreutz was suspended on a number of occasions and permitted to remain only upon his assurance that he would not mention the Katyn Forest matter.

On the other hand, Mr. Novak was never called in, as Mr. Hopkins testified, but after his contract expired his contract was not renewed as were neither the contracts of any of the announcers of the foreign-language programs. So I don't think that proves anything.

Mr. CRANSTON. All that I am proving is that the Communist was put off the air.

Mr. MACHROWICZ. He wasn't put off the air. He was permitted to remain with his Communist propaganda, whereas Mr. Kreutz was stopped very effectively.

Mr. CRANSTON. Kreutz remained on the air, and the man who first went off the air happened to be the Communist, Mr. Novak.

Mr. MITCHELL. Mr. Cranston, you have been in the newspaper field for quite some time. I believe that one of the members of this committee pointed out yesterday that all of the—in fact, Mr. Harriman testified before this committee and said that everything that came out of AP, UP, and so forth was censored out of Russia, out of Moscow.

Mr. CRANSTON. What was, sir?

Mr. MITCHELL. In other words, nothing got out of there by any of our famous wire services that was anti-Russian in any way, shape, or form. Now, can you explain to this committee how Kreutz, for instance, by being restricted to the news service wires, and so forth, could get the information to the American people? The effect of your visit to New York was to restrict his comments and his broadcasting to the wire services.

Mr. Henry Cassidy, then with the AP, now a National Broadcasting Co. news editor, testified before this committee last February and said at that time that his story on Katyn was censored. He was asked when was the first time he had had an opportunity to express an

opinion on what he saw at Katyn, and he said, "When I testified today."

By the very act of restricting the activities of these Polish commentators to AP, UP, and so forth, you were accomplishing the same purpose.

Mr. CRANSTON. Mr. Mitchell, I am sure that Mr. Kreutz was not restricted to using AP, UP, INS, and other wire service reports which were originated in Russia and were thus cleared by the Moscow censorship. He was permitted to use wire service reports which emanated from any center in the world; and there were things on the wire services from time to time pertaining to Katyn that did not necessarily originate in Russia.

There were statements made in England and in Washington in this country about Katyn which didn't go through Russian censorship.

Mr. MITCHELL. I have no further questions.

Chairman MADDEN. Are there any further questions?

We thank you, Mr. Cranston.

Mr. CRANSTON. Thank you very much, sir.

Chairman MADDEN. Who is the next witness?

Mr. MITCHELL. Colonel Yeaton.

**TESTIMONY OF IVAN DOWNS YEATON, COLONEL, INSPECTOR GENERAL'S DEPARTMENT, UNITED STATES ARMY—Resumed**

Chairman MADDEN. Colonel Yeaton, you have already been sworn. Will you give your name and address.

Colonel YEATON. My name is Ivan Downs Yeaton, colonel, Inspector General's Department, United States Army.

Mr. MITCHELL. For the record, may I say that Colonel Yeaton was sworn in on June 4, 1952, and that this is a continuation of his testimony taken at that time.

Mr. Chairman, for the purpose of bringing the committee up to date, I would like to make a brief remark. Colonel Yeaton was from 1939 to 1941 military attaché in Moscow. In September 1941 he attended a dinner party. Present at that dinner party was General Anders, who had just been released shortly before from the Lubianka Prison.

Chairman MADDEN. Let the witness testify.

Mr. MITCHELL. Now, will you start at that point, Colonel, and briefly bring us up to date. Just briefly tell us what you heard and then how you got into G-2 and bring us up to now.

Colonel YEATON. You mean from the dinner for General Anders?

Mr. MITCHELL. Yes; from the dinner.

Colonel YEATON. Colonel Anders at that time had just been released from the Lubianka Prison and his first consideration was the missing Polish officers and noncommissioned officers. He made inquiries and he had received evasive answers. So he spoke to me briefly after luncheon and said that he would do everything within his power to locate these officers.

From that time on in my business the subject of the missing Polish officers was so labeled.

When I got back to Washington I was put in charge of the Eastern European Section, which included Poland. So I immediately set up



in my files the Polish files of which the missing Polish officers was a part.

On April 13, when the Germans——

Mr. MITCHELL. 1943?

Colonel YEATON. 1943. When the Germans released their Katyn story my Polish file was again broken down and I set up a separate file for Katyn.

Mr. MITCHELL. Mr. Chairman, at this time I would like to hand to the witness a book called Mass Graves of Polish Officers Near Smolensk. This was supplied this committee by the War Department counselor's office last spring.

Mr. PUCINSKI. This is not an exhibit. It is too voluminous.

Mr. MITCHELL. I would like to have the witness explain about this book and how it came into existence.

You have already testified, Colonel Yeaton, that you had another file called the missing Polish officers file which you maintained from what time?

Colonel YEATON. The missing Polish officers file was part of the regular Polish file. It was only as of the date of the German broadcast that this file was started.

Mr. MITCHELL. In other words, there were two separate files then? There was a file maintained called the missing Polish officers file and this was beginning with the date of Goebbels' broadcast of April 13, 1943?

Colonel YEATON. No. The papers from the other file were the start of this file.

Mr. MITCHELL. The papers from the other file were the beginning of this file?

Colonel YEATON. That is right, sir.

Mr. MITCHELL. Fine. Could you roughly tell us what you did and how you built this file up?

Colonel YEATON. As of that German release, I took action on two things immediately. One was to send a wire to Szymanski in Cairo to devote all of his time and as quickly as possible to get me a report from the Poles themselves.

The other one was to instruct my own crew on the Polish desk to make this file as complete as they could and include in it all of the reports pertinent to the subject.

Mr. MITCHELL. At that time, what was your specific position in G-2?

Colonel YEATON. I was Chief of the Section at the time.

Mr. MITCHELL. Which section?

Colonel YEATON. The Eastern European Section.

Mr. MITCHELL. Did that include Poland?

Colonel YEATON. It did, sir.

Mr. MITCHELL. Did it include Russia?

Colonel YEATON. It did.

Mr. MITCHELL. Then, Colonel, that file there should contain everything concerning Katyn and the missing Polish officers?

Colonel YEATON. This file should be complete. Anything in the G-2 section pertaining to Katyn should be in this file.

Mr. MITCHELL. All right. Now, there was a reorganization in G-2 early in 1944. Will you explain to the committee what happened at the time of that reorganization?

Colonel YEATON. At the time of the reorganization the files from all of the geographic branches were sent down into a single file room.

Mr. MITCHELL. Were they available to the people working in the various desks?

Colonel YEATON. Yes.

Mr. MITCHELL. Did this reorganization hamper or assist the program at that time?

Colonel YEATON. As far as I am concerned, it hampered it because I didn't believe in the reorganization and I still don't.

Mr. MITCHELL. The reorganization of G-2?

Colonel YEATON. That is right.

Mr. MITCHELL. Why didn't you?

Colonel YEATON. Because it was set up and, I thought, running as well as could be expected. It was set up on the same lines as the State Department. As a matter of fact, every intelligent group in any country that I know anything about is set up geographically.

Mr. MITCHELL. What was the effect of the reorganization? Did they break up the geographic areas?

Colonel YEATON. The chiefs of the branches were made specialists and, as such, were assigned to writing opinions. They had access to their files, but there was confusion for months, and the only way we could keep it running was because we knew the persons concerned and where the files were.

Mr. MITCHELL. In May 1945, what was your position?

Colonel YEATON. In May 1945, I was chief or coordinator of specialists.

Mr. MITCHELL. Was that for all specialists?

Colonel YEATON. Yes, sir.

Mr. MITCHELL. Then you were the coordinator. Who was your immediate superior?

Colonel YEATON. I think he is a Senator now. I have forgotten his name. He is a lad from Vermont. He was only in there a short time.

Mr. MITCHELL. Mr. Gibson?

Colonel YEATON. Yes.

Mr. MITCHELL. He is a Federal judge in New York, or rather in Vermont.

Now, you have just told this committee that everything that came in concerning Katyn and the missing Polish officers would be in that file?

Colonel YEATON. Yes, sir.

Mr. MITCHELL. And these specialists you had at that particular time had access to that file?

Colonel YEATON. At the time this file was set up, my office was broken down into three subsections: military, political, and economic. At the head of the military was a Major Shimkin. At the head of the political was Maj. David Crist. At the head of the economic was a man named Raymond.

The papers on Katyn were shown first to the Military Section, which would be Shimkin's subsection so that he could more closely evaluate the strength of the Polish Army which was being reformed. It was sent to the political desk for file.

Now, later in the Political Section we had Dr. Johnson, who may or may not have assisted in putting this file together. I am not sure of that.

Mr. MITCHELL. Where was Dr. Johnson employed at that time?

Colonel YEATON. He was in G-2, sir.

Mr. MITCHELL. He was in G-2?

Colonel YEATON. Yes, sir.

Mr. MITCHELL. What was his specialty at that time?

Colonel YEATON. He was in the political desk, if I remember correctly.

Mr. MITCHELL. Of which country?

Colonel YEATON. Both the Soviet Union and Poland. He would have written opinions on either.

Mr. MITCHELL. On either subject?

Colonel YEATON. Yes.

Mr. MITCHELL. At the time that the Van Vliet report was filed with General Bissell, where would be the logical place for that report to go? That was May 22 or May 23 or May 24, 1945.

Colonel YEATON. Unless its classification prohibited it, it would be in this file.

Mr. MITCHELL. Were there top secret papers in that file at any time?

Colonel YEATON. Not to my knowledge.

Mr. MITCHELL. But the logical place for it to go, if it were not classified, would be that file; is that correct?

Colonel YEATON. That is right, sir. The only reason I ever classified any document in this file was to protect its source. Certainly the subject matter was not such as to require classifying it.

Mr. MITCHELL. General Bissell has already testified that that document was labeled "top secret" by him. Now, have you ever seen the Van Vliet report yourself?

Colonel YEATON. No, sir.

Mr. MITCHELL. Did you ever discuss the Van Vliet report with General Bissell?

Colonel YEATON. No, sir.

Mr. MITCHELL. Or he with you?

Colonel YEATON. Not from my knowledge.

Mr. MITCHELL. When did you first hear about the Van Vliet report?

Colonel YEATON. From this committee here.

Mr. MITCHELL. I have no further questions right now.

Chairman MADDEN. Are there any questions? All right, Mr. Pucinski.

Mr. PUCINSKI. Colonel Yeaton, did you personally place the documents in that file?

Colonel YEATON. No; never personally.

Mr. PUCINSKI. Will you tell us who were some of the people who worked on that book with you?

Colonel YEATON. These files were not kept by me personally because I was Chief of the Branch. The persons that could have kept the file would be Col. Richard Park, Jr. He might have been one. David Crist would be one. Dr. Johnson, possibly.

Mr. PUCINSKI. Will you identify Dr. Johnson a little further, please.

Mr. MITCHELL. What was his first name?

Colonel YEATON. William, Dr. William Johnson.

Mr. MITCHELL. Where did you first know Dr. Johnson or hear of him?

Colonel YEATON. When he reported for duty in G-2, sir. I had heard of him before that through General Faymonville.

Mr. MITCHELL. Who was he?

Colonel YEATON. He was the first military attaché in the Soviet Union.

Mr. MITCHELL. Was Johnson working for him?

Colonel YEATON. I don't think he was working for him, but he knew him in Moscow. As I understand it, Dr. Johnson was a student in Moscow.

Mr. PUCINSKI. Do you care to name any others as best you can recollect?

Colonel YEATON. I have named Park, Shimkin, Crist, Raymond, Johnson. I don't remember any more at this time, sir.

Mr. PUCINSKI. Do I understand you correctly, then, that if a document pertaining to Katyn came into your Branch any one of these people who had access to this book could have placed it in the book? Do I understand you correctly?

Colonel YEATON. We also had a girl who was a file clerk. She might have actually physically put it in there. Any one of them could have designated which file it would go into or had access to the file.

Mr. PUCINSKI. Anyone of these people had access to your file there?

Colonel YEATON. That is right. This was never a highly classified file anyway.

Mr. PUCINSKI. I have nothing further.

Mr. MACHROWICZ. Are there any further questions?

Mr. O'KONSKI. You mentioned this Dr. Johnson. You said that you first heard of him through someone connected with the Russian Embassy; is that correct?

Colonel YEATON. The Embassy in Moscow, sir.

Mr. O'KONSKI. The American Embassy in Moscow?

Colonel YEATON. True.

Mr. O'KONSKI. What did you hear about him from this Embassy in Moscow?

Colonel YEATON. General Faymonville mentioned casually several Americans that had been over there during his tour. He knew them all, and I am sure he liked them all.

Mr. O'KONSKI. What kind of a tour was this that he was on?

Colonel YEATON. He was the first military attaché to the Soviet Union.

Mr. O'KONSKI. Johnson was?

Colonel YEATON. No, Faymonville.

Mr. O'KONSKI. And he met Johnson in Moscow?

Colonel YEATON. That is the way I understood it, sir.

Mr. O'KONSKI. In what year was that?

Colonel YEATON. Well, it must have been some time between 1934 and 1937.

Mr. O'KONSKI. Judging from that, then, the conclusion could be drawn that Johnson was pretty favorable to the Soviet Union. Is that the impression that you got from the conversation you had?

Colonel YEATON. I couldn't say that; no, sir.

Mr. PUCINSKI. Maybe we can reword the question.

Colonel YEATON. He was interested, certainly.

Mr. PUCINSKI. Can you tell us what you know about Mr. Johnson and his connection with your department?

Colonel YEATON. All I know is that he was sent to us as an expert on the Soviet Union, and as long as I was Chief of the Branch I used him to write, to evaluate incoming information, and to write such papers as were necessary.

Mr. O'KONSKI. In his writings and in the analyses that he gave you of information that was coming in, how were his writings and reports slanted? Were they favorable or unfavorable to the Soviet Union?

Colonel YEATON. Most of the time I think we agreed. On a few things possibly he was more favorable than I was.

Mr. PUCINSKI. Could you elucidate on that a little bit?

Colonel YEATON. I don't see what more I could say.

Mr. PUCINSKI. What do you mean when you say that he was more favorable than you on a few things? What were your views at that time as far as the Soviet Union was concerned?

Colonel YEATON. I looked on everything I saw and everything that was shown me as a show, as pure propaganda. I believed, and I hope that in saying this I am not doing Bill an injustice when I say this, that he and some of the other boys over there didn't so evaluate what they saw. There have been a lot of people who have made that same mistake.

Mr. PUCINSKI. What was the nature of their evaluation?

Colonel YEATON. I don't know, sir.

Mr. PUCINSKI. You were the head of the department, sir.

Colonel YEATON. Yes. I would have to have a definite paper, to—

Mr. PUCINSKI. I have nothing further.

Mr. MACHROWICZ. Are there any further questions?

Thank you very much, Colonel.

Colonel YEATON. Thank you, sir.

#### TESTIMONY OF GEN. CLAYTON BISSELL, UNITED STATES ARMY, RETIRED—Resumed

Chairman MADDEN. Our next witness is General Bissell.

Mr. MITCHELL. The general was sworn on June 3. Have the record show that this is a continuation of the hearing held on June 3, 1952, at which time General Bissell testified before this committee.

Mr. MACHROWICZ. You may proceed, Mr. Counsel.

Mr. MITCHELL. General Bissell, were you in the hearing room yesterday when Mr. Holmes and Mr. Lyon testified?

General BISSELL. I was.

Mr. MITCHELL. Did you hear what they had to say?

General BISSELL. Not all of it, but I think I have the sense of it. The acoustics were poor, and some of the talk was very low.

Mr. MITCHELL. I provided you with a copy of the transcript of the hearing of June 3; is that correct?

General BISSELL. Yes, for which I am very appreciative.

Mr. PUCINSKI. General Bissell, just briefly, for the purpose of review, you were the G-2 in May of 1945 when Colonel Van Vliet was sent here by the now Chief of Staff, General Collins, to report to you relative to observations that he had made while he visited the graves at Katyn. He had been taken there as a German prisoner of war and he

had told General Collins that he thought the Soviets had committed this crime.

He came back to America and filed a report with you at your instructions which you had marked "top secret" on the 22d of May 1945. On the 25th of May 1945 you had dispatched a letter to General Holmes, then Assistant Secretary of State, asking him for questions as to Van Vliet's treatment by the Germans while he was a prisoner of war and taken to Katyn.

On June 9 you received a reply from General Holmes. On August 21, 1945, you had sent a letter to Mr. Lyon of the State Department advising him—

General BISSELL. May I interrupt?

Mr. PUCINSKI. May I finish the chronology and then you can correct it if I am wrong.

On the 21st of August 1945 you had sent a letter to Mr. Lyon of the State Department advising him that you were sending him a copy of the Stanley S. B. Gilder report—Gilder was a British officer who was equally or likewise taken to Katyn—and in that letter of the 25th or rather, excuse me, the 21st of August, you made reference to the fact that Gilder's report substantiated in effect "the statement of Col. John H. Van Vliet forwarded to General Holmes on the 25th of May 1945 and generally substantiates all material facts in Lieutenant Colonel Van Vliet's report."

Now, this committee has been trying to find the report filed by Van Vliet which you at that time, the 22d of May 1945, had stamped "Top secret," and it was your contention at the last hearing here before this committee that you believed that you may have sent that report to General Holmes at the State Department.

At the June 3d hearings you admitted that you had received the report from Van Vliet, that you had marked it "Top secret," and that you think you had sent it to the State Department.

Does that bring us up to date as of this moment?

General BISSELL. There are some minor errors, but substantially that is correct. I couldn't have stamped the report "Top secret" on the 22d, the date you fixed, because it wasn't written yet. That kind of thing is in several places in your statement. I saw no orders from General Collins. You said that he was ordering Van Vliet. That is of no consequence, but I just want to be sure that I am not confirming something that is incorrect.

The substance of the long sentence that you have given me is correct.

Mr. MACHROWICZ. That is the difficulty with making a summary statement. We will accept the record as correct, regardless of the statements made.

General BISSELL. That is correct; yes, sir.

Mr. PUCINSKI. Well, take it from there, General.

Mr. MITCHELL. General Bissell, the last time you testified before this committee you stated that you personally were responsible for labeling the Van Vliet report "Top secret."

General BISSELL. I directed it be labeled "Top secret."

Mr. MITCHELL. At that time you gave as the reason for labeling it "Top secret" the discussions that had taken place at Yalta. Is that correct?

General BISSELL. No; I did not. I told you in the record that it fell within, I think, paragraph 3 of a document that deals with the definition of "Top secret." I told you that I thought because of its political implications that it should be "Top secret." I don't think I said anything about it being based on Yalta, because you will remember that I stopped at that point, not knowing the classification of Yalta, and you suggested that I not answer.

Mr. MITCHELL. You are correct, because at that time Mr. Sheehan was asking you to put on the record the various classifications of "Top secret," and you read from a record propounded in 1944. You said that you had labeled the Van Vliet report "Top secret" because of its political implications at that time. Then later on, when I asked you why you did that, you said, "Well, that concerned Yalta."

General BISSELL. Yes, sir.

Mr. MITCHELL (quoting). "You have me over a barrel."

General BISSELL. That is correct.

Mr. MITCHELL. Mr. Machrowicz then asked you to find out what had been disclosed at Yalta, and we left the subject of Yalta alone at that time.

General BISSELL. That is correct.

Mr. MITCHELL. Mr. Chairman, I have received from the Department of State a statement that all of the Yalta Conference has been released. That is the Yalta statement from the State Department.

Mr. MACHROWICZ. The exhibit that you have handed me is a combination of documents formulated at the Crimea [Yalta] conference. Are you asking that this be incorporated in evidence?

Mr. MITCHELL. Yes; I think that would be exhibit 38.

Mr. MACHROWICZ. It may be received.

Mr. MITCHELL. Thank you.

(The document referred to was received in evidence as exhibit 38 and appears in the index of these hearings.)

Mr. MITCHELL. General Bissell, you have been provided with a copy of exhibit 38 by either the State Department or the Army Department Counselor's office?

General BISSELL. I was directed, I believe, by your committee that this matter would be taken up later and that I would find out its status. I asked the Counselor for the Department of the Army to make it available to me, but he was not yet prepared to do so not because of the classification but because he wanted to get some information from the Department of State. He had some exchanges with the Department of State, and on the 26th of June Mr. Shackelford wrote me. I don't think the letter was mailed because they verified something else and then another one, I think, was attached on July 9th, and they forwarded me the papers stating substantially what you have said: That it was all released.

My current understanding is that it is all released; and if your records show that—it is piecemeal here with me, but I think it is all covered, and I have the paper—I will be glad to comment.

Mr. MITCHELL. We have it on the record now anyway. I think you have about the same thing.

General BISSELL. It appears to be the same mimeograph.

Mr. MACHROWICZ. If this committee has succeeded in having the Yalta papers declassified, we have accomplished something already.

**Mr. BISSELL.** May I ask something? Am I to understand then from the State Department that it is all declassified and that I can go ahead and talk?

**Mr. MITCHELL.** That is correct. That is my understanding. Mr. Ben Brown from the State Department is here.

**Mr. MACHROWICZ.** Mr. Brown, do you care to make any comment?

**Mr. BROWN.** Mr. Chairman, I don't have a copy of it with me, but I wrote Mr. Shackelford a letter dated June 20, 1952, which perhaps you would like to have me furnish you.

**Mr. MACHROWICZ.** Does it concern the declassification of these instruments?

**Mr. BROWN.** Yes, sir.

**Mr. MACHROWICZ.** All right.

**Mr. BROWN.** In fact, it not only states that they were declassified but also it gives the initial date of the publication of each of the parts of the Yalta Agreement.

I might add that this document which General Bissell has here is a copy of the letter which I sent to Mr. Shackelford.

**Mr. MACHROWICZ.** Do you verify now that the documents concerning the Crimea Conference, the so-called Yalta Conference, have been declassified?

**Mr. BROWN.** That is right sir. And the document which Mr. Mitchell has placed in evidence is a duplicate of the document which I enclosed with my letter to Mr. Shackelford and which General Bissell has in his possession here.

**Mr. PUCINSKI.** I think, for your information, Mr. Chairman, and for the committee's information, we should point out that the so-called unclassified or declassified document of the Yalta Conference is the release that was made shortly after the Yalta Conference was consummated. But it does not carry with it the transcript of any discussions, off-the-record discussions, this may have been held at the Crimea Conference.

**Mr. MACHROWICZ.** All right.

**Mr. MITCHELL.** For the purposes of this discussion this afternoon, the general is in no way bound by anything of secrecy or otherwise from Yalta. He is at perfect liberty to discuss that.

I believe you understand that to be correct. Isn't that correct?

**General BISSELL.** That was the purpose of my question; that is, to get freedom of action, because it has been done so piecemeal.

I know that this is probably not verbatim, and a lot of the stuff doesn't look exactly the same.

In other words, I saw what was purported to be the report of Yalta by the people who had been there while it was in their hands, but completely classified.

**Mr. MITCHELL.** All right.

**General BISSELL.** I never saw this, you understand [indicating the enclosure sent by Mr. Brown to Mr. Shackelford].

**Mr. MACHROWICZ.** Let's proceed further. It has been declassified. Let us proceed with the questioning.

**Mr. MITCHELL.** Now, I would like you to explain to the committee why you labeled it "Top secret."

**General BISSELL.** Well, there are two things in this that I think I can point out to you, and then you may wish them read into the record, or they may be already in the record.



On page 13 is the agreement regarding Japan. To paraphrase that and to put the two pages into a couple of sentences, a deal was made with the Russians to break a treaty obligation they had with the Japanese, a mutual-alliance defense arrangement, and stab the Japanese in the back when it would do us the most good and save us the most Americans.

Mr. MITCHELL. What does that have to do with the Van Vliet report?

General BISSELL. The point I am making is that that deal had not yet been consummated; had not yet been effected. It was an agreement—

Mr. MACHROWICZ. I don't think, General, we are going to have the time nor are we in authority to analyze the entire Yalta Conference, and the commitments made, particularly with reference to Japan.

I think we had better stick to the Katyn incident.

General BISSELL. The word "Katyn" is not mentioned in here, but the purpose of the decision here is to get the Russians to help you and have them make an attack within 60 days, or whatever the time period specified in here, on the Japanese, and in order to help us shorten the war.

Mr. MACHROWICZ. You mean to help us shorten the war with the Japanese?

Mr. PUCINSKI. In other words, what you are trying to say, General, is that you are well aware of the effort being made in this country at that time to assuage the Soviets toward helping us.

General BISSELL. That is right.

Mr. PUCINSKI. Is that what you are trying to say?

General BISSELL. And these papers show the big price that we were prepared to pay for that in territorial concessions and in every other thing, and they also show what decisions were taken with regard to Poland which were set forth at that time under the President's signature, as I recall. I believe it is at the end of this thing.

Mr. MACHROWICZ. Do you refer to those commitments as "a stab in the back"?

General BISSELL. I don't know where to stop. I would like to go ahead and talk, or else answer your questions.

It disposes of Poland completely, and what the United States is going to do.

Now, that is the policy of the United States enunciated by the President in wartime, the Commander in Chief, and that is an order to me.

I am shown it when it is secret to everybody but a very small handful, and I am supposed to have sense enough to know that, when the President signs something in wartime as the Commander in Chief, that is it.

Now, I am not asked for any views. I am not asked for my comments.

The purpose was to get Russia to fight and help us in the Japanese war instead of letting us exhaust ourselves and then having them turn on us.

Mr. O'KONSKI. In other words, General, what you are really saying is that the actions which you took, particularly in the instant case relative to Katyn, you took in order to implement the foreign policy of people above you; is that correct?

**General BISSELL.** I was doing this because it had on it the signature of the Commander in Chief. I wasn't doing it because he was the President and a politician. I was doing it because he was the Commander in Chief under our Constitution, and I am working for him under oath to do everything I can to further his policies.

**Mr. O'KONSKI.** In other words, in your actions you were merely implementing this policy that was set down?

**General BISSELL.** Now, I am classifying Katyn "Top secret" in view of this. I know it is "Top secret" at the time, and Van Vliet even recognized it as "Top secret" without that background.

I saw in it great possibilities of embarrassment; so, I classified it the way I have told you, and I think I had no alternative.

**Mr. DONDERO.** General, you made one statement regarding territorial concessions that we made at Yalta as the price that we paid to get Russia to help us in the Japanese War.

**General BISSELL.** That was only part of the price we paid. We paid more than territorial concessions.

**Mr. DONDERO.** We are still paying the price in Korea?

**General BISSELL.** It is all such a different deal that I don't think anybody would pretend to say that at the time of Yalta, anybody could visualize the Russia of today.

I mean that we are 5 or 7 years later, and that is hindsight. But I am agreeing with you that we paid a great deal for it, and we are still paying.

**Mr. DONDERO.** I am not asking you that to be critical of you. I am simply asking you what happened.

**General BISSELL.** All right, sir.

**Mr. O'KONSKI.** You answered a lot of questions for me in just stating that you were implementing foreign policy. I would like to ask one or two other questions in that respect.

You, as head of G-2 at that time, naturally asked for various reports, for instance, on what the situation was in Greece and what the future picture might be.

**General BISSELL.** I am not hearing you too well, sir.

**Mr. O'KONSKI.** In your job as head of G-2, it came within your province and you did at times, for instance, ask for a complete report and evaluation of the situation, say, for instance, in Greece, or in Rumania or Bulgaria. Do you remember ever asking for such reports for those respective countries?

**General BISSELL.** I will answer that this way: Every morning, with some few rare exceptions, when I was in Washington, the specialists on each area or country—a good many each time, 10, 12, 15 of them altogether—came into my office with the maps, with the charts, and with everything that had come in pertaining to the area in which they were primarily responsible. They painted for me the picture of the change from the day before in the world, piece by piece, or the change over a period of time. It might be a progressive report covering 20 days, 50 days, or the change from last year.

It kept you up to date in all respects, and I was briefed that way every single solitary morning.

Now, if I wanted more detail on what they told me and didn't want to consume the time of all of these men who had lots of work to do, I would call individuals in later in the day and ask for further

amplification, or I might direct that they make a study for the Chief of Staff and present on the next day in greater detail what they had found the next day, or, if it was urgent, later the same day.

Mr. O'KONSKI. Do you remember, in receiving some of those reports, General, telling some of these people that were giving you these reports that their reports were too anti-Soviet and that they would have to tone down the nature of their reports before you would accept them?

General BISSELL. I believe I might have done so. I tried to have my office staffed with experts and then, where there were two views, I tried to have an expert representing each view.

In the case of Russia, I tried to get a man who had served in Russia, if I could get him, a military attaché, or some other similar attaché who hated the devil out of the Russians and who would bring out everything that was bad about them.

Then I wanted also a man who liked them and who would bring out the other side.

You had to find a middle ground because both of them were not always 100 percent right, obviously.

In the controversial areas, you have to have a good chance of getting both sides aired.

Now, those people who had lived in Russia and who had served there in some cases despised the Russians, while some of them admired them. That was the kind of thing you had to deal with. But I think I always had a fairly well balanced group. If I thought it was out of balance, I would have tried to balance it.

Do I make my point clear?

Mr. O'KONSKI. Yes.

Now, for example, do you remember, or did you have anything to do with these Chinese interpretation courses that were given; for instance, at the Massachusetts Institute of Technology and Camp Ritchie in 1945?

General BISSELL. That was one of my activities. They were not only give there but in many other universities in the United States and in many other languages, such as Japanese, German, French.

Many universities were working with G-2.

Mr. O'KONSKI. Can you give any reason why in those courses the interpretation was given that was very favorable to Mao, who is now the Communist leader in China?

You know, of course, what they are doing to our boys in Korea now. Can you give any reason why that course went along with the policy of actually instructing our military people that "Mao really is not a Communist; he is just an agrarian reformer." Can you give me any reason why that interpretation was approved by G-2?

General BISSELL. It was never approved by me and that particular type of teaching had no business in the schools. They were teaching, among others, the Chinese language to people who were going to Chiang Kai-shek's China.

Mr. O'KONSKI. And instead of teaching them the language—

General BISSELL. That might have happened. I couldn't be in every class.

In the case of the teaching of the Chinese, because it is a hard language, a great deal of it was done with microphones and the man would study it as long as he could take it and when he was so full of

it that he couldn't remember the sounds, he would go to something else. Then he would take some more.

Then we had classes where they rounded out the training. But you are not interested in the details of technique.

This other thing you are talking about has no place there. We told them to make the courses as interesting as they could, and they did give them a good deal of background of the country.

Now, I don't know anything about the particular thing you are mentioning. I never heard of it until this minute.

Mr. O'Konski. Well, they were considerably slanted in favor of the group that is now causing us all of the worry and anxiety in Korea.

General BISSELL. There is one thing I would like to say Mr. Congressman, in that connection. The word "Communist" as used in China in those days was not the word "Communist" as it is used in the world today. Those who differed with Chiang Kai-shek were Communists, but that was not meant the kind of Communist that took over China later, nothing like it.

Mr. O'Konski. In that respect, General, am I correct in this observation? I think I am. In view of the Yalta agreement and in view of this anxiety of getting Russia into the war against Japan, there was practically no limit all the way down the line and the general policy was to protect the Russians as much as possible, not to arouse their anger and antagonize them in any manner, shape, or form, but to go along with them in every way whatever so that we could continue to keep them as our ally? Wasn't that really the guiding policy of G-2 and practically every agency of the Government at that time?

General BISSELL. I can't speak for other Government agencies. We were not going to violate the spirit of this thing, although the facts were going to go to our people who acted on them if they pertained to how you got on with the war, whether they be favorable or unfavorable.

Mr. PUCINSKI. By "this thing," you mean the Yalta agreement?

General BISSELL. I mean that the Yalta agreement made us follow a certain course.

Now, much information came in that was anti-Russian which was classified, and a lot of it wouldn't have gone to the public anyhow. They didn't need to know those things. It wouldn't have helped them.

But those things that came in and which our military leaders needed to know were passed on to them. If it influenced the prosecution of the war, it was put right out to the people who could use it.

We were collectors primarily for the Army and the Air Force and disseminators and evaluators. However, I had other functions as G-2 to provide information to the Joint Chiefs of Staff and to do many other things.

Mr. O'Konski. In other words, General, we set a definite policy and course of action that we were to follow, signed, as you say, by the President of the United States. If you had not implemented that policy and followed that policy, you very likely would have been removed from your position. Isn't that right?

General BISSELL. Yes, but I wouldn't have thought of not implementing it. I was sworn, as every officer is, to uphold—you take an oath when you go in there to do certain things. You lose a lot of your rights and your citizenship privileges. So when you are in there, you

give them away, and, in return, you take an oath, and that is all there is to it.

Mr. O'KONSKI. In other words, General, here were 15,000 Polish officers who were murdered.

General BISSELL. We are talking about Katyn, and I think your figure is 4,300, just being precise.

Mr. O'KONSKI. Even if there had been 150,000 of them murdered, it wouldn't have made any difference because you still would have had to implement the foreign policy?

General BISSELL. No matter what number had been involved here, I would have tried to get these papers to one of two agencies whose business it was. It didn't involve the war against Germany any more.

Poland couldn't participate in the war against Japan.

The Russians could participate in it.

Those were factors.

Mr. PUCINSKI. What agencies were those, General Bissell?

General BISSELL. Sir?

Mr. PUCINSKI. What agencies were those?

General BISSELL. That is in the record again and again. War Crimes or State Department.

Mr. O'KONSKI. That is all.

Mr. SHEEHAN. General, in talking with Mr. O'Konski, you brought out the fact that in evaluating this information you tried to get somebody who was every much anti-Russian and somebody who was very much pro-Russian.

General BISSELL. That was where you had a controversial thing, where you had bitterness and hatred and where people might be sour in their views because of service in Russia, or something like that. You had to try to get the best thing.

Mr. SHEEHAN. We are having a witness coming up after you, Dr. William Johnson. Will you state where he fitted into this picture?

General BISSELL. I never to my knowledge talked to him. I never saw him, to my knowledge. I saw his back here. I might know him if I saw him. I don't know.

I would have wanted to know the views of Colonel Yeaton and another officer who worked right in that section every time, and they came into these meetings regularly every day.

McKellar is the other officer.

Mr. PUCINSKI. In view of what you have just told this committee, then, on May 22, 1945, you signed a letter which you gave to General Van Vliet?

General BISSELL. A memorandum, to be precise.

Mr. PUCINSKI. A memorandum that you gave to him after he had given you the report.

In part, you said:

Due to the nature of your report, and the possible political implications, it is directed that you neither mention nor discuss this matter with anyone in or out of the service without specific approval in writing from the War Department.

Now, we understand that this gag on Van Vliet was requested by him and concurred in by you. I presume that the gag on Van Vliet was placed because of the reasoning that you have described before this committee prior to this time. Is that right?

General BISSELL. That is correct.

I would like to say one thing more. When Van Vliet was released from that restriction in order to make a second report which was released in the War Department publications before this committee—when they got through with it, they slapped it right on again many, many years after I put it on, so maybe I wasn't so far off after all.

Mr. PUCINSKI. Just so that this record is complete, will you briefly tell us what you mean by political implications?

General BISSELL. I mean those things that will have a political effect now or later. It might be 20 years later; it might be the next day.

Political implications are anything—of course, politics goes into all of your life. It is a political implication when you vote, but that isn't what I am talking about.

I am talking about political implications on a world-wide basis.

Poland had been in the fire in World War I and before. You all remember the Polish corridor. Poor Poland has always been between these two big wheels. Those are political implications, and this was certainly political.

I think you have had enough before this committee to show that if Katyn had been perpetrated by the Russians, which appears now to be the case, that was for a political purpose.

Mr. PUCINSKI. Let me finish, if I may.

Now, in your prior testimony before this committee, you said that you thought you discussed this Katyn report of Van Vliet with General Holmes of the State Department. You heard General Holmes testify yesterday, didn't you?

General BISSELL. Yes.

Mr. PUCINSKI. What is your statement today?

General BISSELL. The same thing, exactly. I gave an illustration under oath of exactly what I meant by discussing. I gave a paraphrase of approximately what I might have said. That shows the extent of the discussion I would have had.

Mr. PUCINSKI. On Katyn?

General BISSELL. On Van Vliet being here. I think you mean Van Vliet, don't you?

Mr. PUCINSKI. Yes.

General BISSELL. All right.

Mr. Holmes said that he had no recollection of that. He didn't say I didn't do it. He was very guarded in his statement. I have a copy of it here.

Mr. MITCHELL. General, before you go any further with that, I have one question.

Chairman MADDEN. Let him finish that sentence.

General BISSELL. You have wrecked me.

Mr. PUCINSKI. You were talking about your conversation with Mr. Holmes.

General BISSELL. My conference.

Mr. MITCHELL. He said that he had no recollection of it.

General BISSELL. I was in the room at the time, and if I heard him correctly I believe that his statement was that he does not recall any conversation on either matter and that he can't be certain he would remember it. I jotted it down quickly. I may have gotten it down wrong, but I think that is substantially correct.

Then you asked him whether I ever handed him a top-secret report for which he didn't sign a receipt, and he told you he had no recollection of that.

I spoke to him on the way out. We agreed that there had been dozens and dozens of them passed without any receipt.

Mr. MACHROWICZ. We can't take into consideration what was said on your way out.

General BISSELL. I only mention that in passing. He is still available, I believe, if you want to verify that.

Mr. MACHROWICZ. We must consider the testimony under oath.

General BISSELL. All right. I will state under oath that we passed a great many secret communications without any paper work, because we both sat most Wednesday afternoons as common members of a committee known as the Joint Intelligence Committee. Periodically we sat as common members with the British and our allies, our other allies, as the Combined Intelligence Committee.

We would bring in there a paper for action by that committee, or for their consideration, and the top-secret papers would be passed around by everybody. We even took them home for study.

Mr. MACHROWICZ. General, this is a highly specialized office that you were in and that Mr. Holmes was in, and it has been testified by both you and him that such documents were not ordinarily passed without a receipt.

General BISSELL. That is right.

Mr. MACHROWICZ. And you today intensify that point by saying that this was a tremendously top secret document.

Do you have a receipt from him for having conveyed that document to him?

General BISSELL. I do not have a receipt from him.

Mr. MACHROWICZ. And you do not remember having delivered it to him?

General BISSELL. I do not remember ever having handed that document to General Holmes.

Mr. PUCINSKI. How about Mr. Lyon?

General BISSELL. I don't remember ever having handed it to Mr. Lyon.

Mr. PUCINSKI. If I am not mistaken, that is in the record.

General BISSELL. There are many errors in the record, but that is because you have not had a chance to check it.

Mr. PUCINSKI. Do you ever recall discussing the Van Vliet report with General Marshall?

General BISSELL. I never discussed it with him.

Mr. PUCINSKI. How about Mr. McCloy?

General BISSELL. I mentioned a great many people, specifically in my previous testimony I had not discussed the Van Vliet report with and you asked me how I could have discussed it with them when I hadn't shown it to them.

Mr. MITCHELL. General, at this point I would like to take over on this question.

General, I believe you know that we have talked to every member of your personal secretariat.

General BISSELL. I hope so.

Mr. MITCHELL. All but Mrs. Doris Jepson, who was your personal secretary both in the China, Burma, India theater, and in G-2. She

is the only individual we have not had a chance to talk to, because she is located in India today.

In addition to talking to the members of your own staff, we have talked to, I would say, roughly 30 people of G-2. Now, I will tell you this right now. There isn't a single solitary person that we talked to who said that General Bissell would take that document or send it to the Department of State without talking to a higher superior, that you were too clever, that you knew your business, and it may be said to your credit that they have a great respect for your mental ability.

Now, did you or did you not talk to anybody higher than you about the Van Vliet report when you received it in the Army or in the Secretary's office, or in the Joint Chiefs of Staff?

General BISSELL. There is a possibility that I may have mentioned it to General Marshall or to the Secretary. I have no distinct recollection of having done so, and I don't see much reason why I should have.

Mr. MITCHELL. Well, we see a lot of reason why you should have.

General BISSELL. Well, I know, but—

Mr. MITCHELL. You will recall that at that time the United Nations were being formed and also that the 16 leaders of the Polish underground were admitted by Molotov to have been imprisoned in Moscow. They were the 16 Polish underground leaders.

You had a report on May 22 in person from Van Vliet saying that 11,000 Polish officers had been killed at Katyn, murdered by the Russians.

Now, that is quite significant. You had been at the United Nations just prior to the time you talked with Van Vliet. You knew the situation at the United Nations.

General BISSELL. That is right.

Mr. MITCHELL. You knew it better than any man in the country at that time, and yet here you got this particular report.

Now, bringing you right back to a moment ago, none of your staff, from the analysts all the way up to your generals that you had working for you—and you know that I have talked to them.

General BISSELL. I hope so.

Mr. MITCHELL. None of them said to me that you would do anything with that but go to a higher superior.

Now, did you, or did you not go to a higher authority?

General BISSELL. I told you—

Mr. MITCHELL. And if you did go to a higher authority, did you get any instructions about this report?

General BISSELL. I told you that I had no distinct recollection of having taken it up to General Marshall or to the Secretary, but that I might possibly have done so, and that I see no reason why I should have done it because it had nothing to do with the prosecution of the war at that time.

The European war was over; it was finished, and this thing was a matter for war crimes or the State Department.

Chairman MADDEN. May I interrupt you there? If you had taken that to General Marshall or to the Secretary, don't you think that you would remember it?

General BISSELL. I don't think so because I took so many things to General Marshall.



Chairman MADDEN. We are talking about this report. Don't you think you would remember this report, as important as it was if you had talked to General Marshall or the Secretary about it?

General BISSELL. I don't believe so.

Mr. MITCHELL. Did you keep a day-by-day record of the events?

General BISSELL. Well, now, yes and no.

Mr. MITCHELL. Let's say "Yes."

General BISSELL. I had what is known as an appointment list which was kept on my desk, just a commercial calendar of pretty good size which had the day divided up into periods of 30 minutes, or hours. On that I jotted down, or it was jotted down for me, if I didn't do it, by my secretary, with whom I had made appointments, and it would also show the appointments in the future. All the past stuff was taken off by the secretary in the outer office where a similar record was kept of the appointments I had kept that day or things I did that I told them about. They didn't know a good many things that went on.

When I had time, I tried to take those two pieces of paper, the one my secretary kept and the one I had, and I dictated the sense from them of what I had done, not with the idea that it would become comprehensive, but to nail down who and what and where and on what given day.

Now, I do have that particular material.

Mr. MITCHELL. General, in the course of the investigation we have conducted, we have been told not by one, but my many that you maintained such a record of events—I am not going to refer to it as a diary because of General Grow—which we will call a record of events. I think we will both agree that diaries were quite common on those days. Those were the wartime days.

I referred to it as a diary when I talked to you in Tennessee the other day. I asked you to bring the records with you of your conversations and of who you saw between May 15 and June 1, 1945, and between August 15 and August 25, 1945.

I selected those dates particularly because of the fact that both of the letters that went to the Department of State were in that period of time.

Do you have that with you?

General BISSELL. I told you that I would bring it up but that I would have to find out what to do about those matters that might still be classified and not pertinent to Katyn.

I would like to call attention, if I may, to the fact that there is in the record as exhibit No. 3 to my testimony a prohibition against my talking about things under certain categories. You have that in the record. I think you will remember it.

Now, I asked whether this was still binding on me when I came up the other day, and I was told that it was still in effect.

Mr. MITCHELL. Does the War Department today, G-2, have a record of your diary?

General BISSELL. Now, wait a minute. I just got through clearing this prohibition.

Mr. MITCHELL. The question is most specific.

General BISSELL. All right.

Mr. MITCHELL. The question is this: Has G-2 today in their files a record of these conversations or memoranda that you made at that time?

General BISSELL. They do not have.

Mr. MITCHELL. Where did we get them today? From you?

General BISSELL. Well, you don't have them today, but you are going to get them from me by the procedure which you arranged with Mr. Monahan.

Mr. MITCHELL. Well, now, just a minute. They are in your possession, today?

General BISSELL. Not this minute, no, but they are mine.

Mr. MITCHELL. And they were in Tennessee with you?

General BISSELL. That is correct.

Mr. MITCHELL. You maintain those under lock and key?

General BISSELL. Yes, sir.

Mr. MITCHELL. What right do you have to those today? They are top-secret messages.

General BISSELL. No, sir; they are not.

Mr. MITCHELL. They must be top secret because I can't look at anything that is in that record. Your letter is a binding letter on this committee, the letter you produced the last time.

Now, why do you have those when G-2 doesn't have them and when this committee can't get them?

General BISSELL. Now, wait just a minute. I have them because I made them.

Mr. MITCHELL. Correct.

General BISSELL. That is why I have them. Now, they are not official documents. There may be plenty of mistakes in them. Many of them I have never read at all.

Mr. MITCHELL. They contain the highest secrets of the United States.

General BISSELL. What is that?

Mr. MITCHELL. They contain the highest secrets of the United States Government.

General BISSELL. No, they don't.

Mr. MITCHELL. Material that has not been declassified today. Otherwise, I wouldn't be restricted from seeing them.

That is the problem I have.

General BISSELL. No, there isn't as much in them as you think, and as you will find out when you see this thing.

Mr. MITCHELL. That may be true, but it just strikes me that when you brought in an official letter from the War Department when you first testified here, stating that you can't say this and that because some stuff may be still classified, and when you retain in your own home in Tennessee something which the War Department doesn't have and which you say we can't have——

General BISSELL. Do you purport to say what I have in my home in Tennessee?

Mr. MITCHELL. No; I don't, but we do know that you have this document, this diary, and that diary is very important.

Chairman MADDEN. Will you confine yourself to questions and answers, Counsel?

Mr. PUCINSKI. Well, General, I wonder if we can get this straight now. What you have there is what is purported to be an extract of your record of events from your own personal files, or is that from the files of G-2 as obtained by you within recent weeks?

General BISSELL. This is from my own personal files.

Mr. PUCINSKI. Do you know that as a matter of fact G-2 has a similar record of events?

General BISSELL. I doubt whether they would. Some of these items are chicken feed. In other words, they wouldn't have this: "Telephoned to Doris to welcome her back."

Mr. PUCINSKI. Now, you are not answering my question, General.

General BISSELL. That is highly classified.

Mr. PUCINSKI. I want to ask you this: I am trying to establish whether or not you know the record of events you dictated every day at the end of the day has been kept and is in G-2 today.

General BISSELL. No; there is no official record of it that has been kept; and it isn't in G-2 today.

Mr. PUCINSKI. Do you know that as a matter of fact?

General BISSELL. Well, now, no one ever knows anything really as a matter of fact. Somebody might possibly have broken into G-2 and have broken into the safe, despite the nightwatchman, and might have copied this so that there would be another one in existence. I can't go as far as you want me to.

Mr. PUCINSKI. May we now have for the record the abstract which you have there?

General BISSELL. Most certainly.

Chairman MADDEN. What is that?

General BISSELL. This was prepared, as it was arranged for, by Mr. Monahan of the Department of the Army.

I had nothing to do with it whatever.

Chairman MADDEN. Mark that as an exhibit.

Mr. MACHROWICZ. Does it have any relation to the Katyn matter?

Mr. PUCINSKI. Yes, sir; very much so.

Mr. Chairman, we would like to read this now for the committee's information. On the 21st of May—

Chairman MADDEN. Wait a minute.

Mr. DONDERO. Has it been marked and has it been received in evidence?

Chairman MADDEN. What exhibit is that?

Mr. PUCINSKI. No. 39.

Chairman MADDEN. It will be received in evidence as exhibit 39.

(The document referred to was marked for identification as "Exhibit No. 39" and is as follows:)

#### EXHIBIT 39—GENERAL BISSELL'S DIARY

##### CERTIFICATE

NOVEMBER 11, 1952.

At the request of Mr. John J. Mitchell, Chief Counsel, Select Committee to Investigate Katyn Forest Massacre, House of Representatives, the undersigned has personally examined a summary of Major General Clayton Bissell's daily appointments for the periods 20 May 1945–1 June 1945, inclusive, and 15 August 1945–25 August 1945, inclusive. As a result of that examination, the undersigned certifies that the extracts from that summary listed below are the only portions thereof which refer to the Katyn Massacre, to Brigadier General

Julius Holmes, to Lieutenant Colonel John H. Van Vliet, Jr., to Doris Jepson, and to Colonel Telford Taylor.

• • • • •  
20 May-21 May '45

None.

22 May '45

1. Telephoned to Doris to welcome her back.
2. Talked to Mrs. Meers about some more information on Colonel Van Vliet's statements. She is to carry out specific instructions on this matter.

23 May '45

1. Talked to Mr. Lyons of State Department and made a note for record on our conversation. It bore on Lang's and Harris' status.

24 May '45

1. Talked to Mrs. Meers about Colonel Van Vliet's report. There was another angle to the matter which we consolidated with the previous material and put away for further reference.

2. With Colonel Cox, I dictated a note for record, on a telephone call to General Holmes with reference to Mr. Braden. Holmes agreed to write Braden again and make clear that the latter must not interfere with certain of Harris' activities.

Mr. MITCHELL. Does that concern Van Vliet in any way, that comment, General?

General BISSELL. Yes. I would like to explain each of those items.

Mr. PUCINSKI. May I read these others, General?

General BISSELL. I thought you had finished.

Mr. PUCINSKI. Then we will discuss them individually. [Continues reading:]

3. General Berry called and later came in to find out about the Interdepartmental Security Committee. A telephone conversation with General Holmes indicated that it had expired and that it was unnecessary to appoint anybody to take General Strong's position on that committee. Its work has been taken over by the Swan Committee.

25 May '45

None.

26 May '45

1. Colonel Taylor came in to bid me goodbye. He has done a grand job in London and is returning to further service, this time with the War Crimes Commission. While this will get him back to professional work, I hate to see him sever his connections with Intelligence.

27 May-1 June '45

None.

15 Aug.-25 Aug. '45

None.

MILES REBER,  
Major General, GSC,  
Chief of Legislative Liaison.

Now, Mr. Chairman, I would like to point out at this time that we had asked the War Department counselor to let us look at the complete record of events of Colonel Bissell's activities during the period that he dealt with the Van Vliet report, namely, the period from the 22d of May to the 25th of May when he wrote his letter to General Holmes and also that period from the 21st of August when he wrote a subsequent letter dealing with the Katyn affair.

The War Department counselor advised the staff of this committee that it would be impossible for us to look at those records, and this digest that the general has handed us now is a digest which has been approved by the War Department. We do not know, because we have

not seen the original, whether the general had any conversations that day with his superiors and whether or not those conversations pertained to Katyn because we have not seen the original record of events of the general's activities for that period.

Is that fairly correct, General?

General BISSELL. You have not seen them.

Mr. PUCINSKI. They have not been made available to this committee. I called Mr. Fashion just a little while ago and told him to bring the complete record of events down here.

General BISSELL. I would like to explain those one by one and show their pertinency.

With reference to the first one about Doris Jepson, I just got through saying that the item is "Telephoned to Doris to welcome her back." She had had an appendix removed in San Francisco and she was not in the office that day and was still out on leave, I think recuperation leave. That item had nothing to do, I think, with the Van Vliet report. I have made a similar statement before. It just happened to appear in the thing.

The next one is, I think—

Mr. MITCHELL. Do you have a copy of this?

General BISSELL. No; I don't. I am following it from memory.

Mr. MITCHELL. I will hand you this document.

General BISSELL. The next one has been fully covered in my previous testimony. I stated at that time that I had taken special care to be sure that Mrs. Meers would be briefed before she handled the Van Vliet thing and that she would have a place to work. I checked with her, and she said that she would carry out her instructions implicitly. That is in my previous sworn testimony.

I have stated to you that I had talked to Mr. Lyon at the State Department on the 23d, and this next item verifies that. It is no good as evidence. I could have written it up yesterday.

Mr. MACHROWICZ. Does it say that you spoke to him regarding the Katyn matter?

General BISSELL. No; nor did I ever say that I spoke to him regarding the Katyn matter, nor did I say specifically that I spoke to Holmes about it. I said what I did in the course of these two conversations or at another time. That is my previous testimony.

Mr. MITCHELL. Both of these gentlemen testified yesterday—and you were present at that time—that if you had talked to them about it they certainly would have remembered it.

General BISSELL. That is true. They did state that they probably would have remembered it. They also stated that they had no recollection of seeing a letter which you handed them, and they stated also, more emphatically, that—

Mr. MITCHELL. Stick to that one point, please.

General BISSELL. They are not infallible.

Mr. MITCHELL. They did say that if you had discussed the Van Vliet report or had shown it to them they would definitely have remembered it. That is what they stated yesterday.

General BISSELL. I stated before and I state again that I would not under any circumstances have discussed any details of the report with them. I would have told them that we had received this thing and were working on it and that we would get it to them as soon as we could.

**The note here states :**

Talked to Mr. Lyon, of State Department, and made a note for record of our conversation. It bore on Lang's and Harris' status.

I told you that it was on another matter and that I might have spoken to them in connection with the Van Vliet report.

On the 24th appears this note :

Talked to Mrs. Meers about Colonel Van Vliet's report. There was another angle to the matter which we consolidated with the previous material and put away for further reference.

That is the business about the Swiss protecting power.

The next item states :

With Colonel Cox, I dictated a note for record, on a telephone call to General Holmes with reference to Mr. Braden. Holmes agreed to write Braden again and make clear that the latter must not interfere with certain of Harris' activities.

Now, there was another item I might have talked to them about. I told you that I had made a note for the record of this conversation that I had not been able to find it in G-2, and that would show what I actually said.

The next note is :

General Berry called and later came in to find out about the Interdepartmental Security Committee.

I told you that I had talked twice to General Holmes. This was the second talk with General Holmes, which indicated that the committee had expired and that it was unnecessary to appoint anybody to take General Strong's position on that committee.

Mr. MITCHELL. At no time did you talk in the course of these 2 or 3 days with your superiors, according to your memorandum of events?

General BISSELL. Well, I very seldom did. After all, what does the term "Assistant Chief of Staff" mean? It means that one handles all of those matters that belong in your field of responsibility, and that one was certainly mine.

Mr. MITCHELL. You testified before this committee on June 3 that you had a gas pipe direct to General Marshall; didn't you?

General BISSELL. No; I did to his house but not to his office. I had a squawk box to his office which could have been heard in many rooms in the building.

Mr. PUCINSKI. I would like to have you distinguish between a gas pipe and a squawk box, just for the record.

General BISSELL. I think you might like to know, if you think that a gas line is something you gas on, you are just barking up the wrong tree.

Mr. MITCHELL. I think we know what it is.

General BISSELL. I think we know what it is, and I would not like to explain it. It is still a useful thing. I would be glad to tell you individually, but I don't think it ought to be put into the papers.

Mr. MITCHELL. Would you have any objection to the members of this committee looking at the transcript of your memoranda of record in executive session, you personally?

General BISSELL. I personally would have no objection to that, but I don't think that a lot of the stuff there has any connection whatever with this committee.

Mr. MITCHELL. You have no objection?

General BISSELL. And I would say that there is absolutely nothing in there directly or indirectly relating to Katyn or to the Van Vliet thing. But I would love to have the chairman look at it. I don't believe that it is the sort of thing that should be spread on the record.

Mr. MITCHELL. It won't be spread on the record.

My specific question then, General, is this: You personally have no objection to the members of this committee looking at that true record as it stands, not abstracted or in any other way?

Chairman MADDEN. He already answered that.

Mr. MITCHELL. Just a minute.

General BISSELL. I have some trouble with that. I have two prohibitions against it. A smart fellow with a little background in intelligence could find out something about sources if he had enough about it. If he got a little of it, it wouldn't be worth a darn to him, but if he got enough of it, it might be of considerable value. I couldn't give you anything about sources, as you know.

Mr. MITCHELL. Thank you for the compliment.

General BISSELL. You are smart enough.

Now, that is the situation I am in. I have to comply with my orders. My hands are tied. If you get them to change my orders, I will go as far as they permit me to. You got my letter telling you that I would like to tell you the works.

Mr. MITCHELL. I am not asking you about your hands being tied. I will take care of the Army a little later on that matter.

Mr. MACHROWICZ. I think, Mr. Chairman, we have agreed that we are going to close the hearings this afternoon.

General BISSELL. Let me finish the last entry here, if I may. "Colonel Taylor came in to bid me good-bye." He was the General Telford Taylor who was Chief Justice Jackson's No. 2 man and who did the work——

Mr. MITCHELL. On the secondary crimes?

General BISSELL. That is right.

Mr. MITCHELL. He had nothing to do with the first crimes?

General BISSELL. No. He is the man to whom I said in my testimony I sent the Polish-London Katyn report.

Mr. MITCHELL. And you sent that to him when you were a military attaché?

General BISSELL. In London.

Mr. MITCHELL. In 1946 and 1947?

General BISSELL. Yes, when it came to me the first time.

Mr. MITCHELL. That was long after the Katyn case was heard in Nuremberg because it was heard in Nuremberg on July 1 and July 2.

General BISSELL. At that particular time and until I came here, I think in June, I didn't know the sequence in which trials were held except from what I noticed from personal observation in being present at the Nuremberg trial when the main trials were on and the major criminals were in the box. I think I mentioned that in my testimony.

Mr. MACHROWICZ. Has this anything to do with the Van Vliet report?

Mr. MITCHELL. No, sir. General Bissell just wanted to clarify the record.

General BISSELL. I wanted to get clear everything which was directly or indirectly related.

**Mr. MITCHELL.** General, I would like to go back to this specific question again. Did you or did you not talk to a higher authority in the War Department or in the Army or anywhere else about the Van Vliet report and its contents?

**General BISSELL.** I repeat, as I did in my previous testimony, I did not recall doing so.

**Mr. PUCINSKI.** General, the question has come up—we have dealt with this Van Vliet report, and we know that you were a very busy man at that time and that you still had the conquest of Japan in mind. Exactly how important at that time was the Van Vliet report to you?

**General BISSELL.** Van Vliet stated that his second report is exactly, as he remembers it, like the first one. I am quite sure that the statement appears in both of them that he had not, in his whole observation, a single factor that in itself was positive evidence, but rather that it was based on what he saw in people's faces, what he observed at the graves, what they had discussed afterward, and the conclusions reached by them. It was on that basis that he had reached his conclusion, and then he stated something which was a conclusion after he had said that he had no fact of evidence to establish it.

**Mr. MACHROWICZ.** Now, General. We are going into something which is unnecessary, but I would like to correct you. He didn't say anything about the fact that he judged this from the looks that he saw on people's faces.

**General BISSELL.** May I read that paragraph?

**Mr. MACHROWICZ.** I don't remember that.

**General BISSELL.** I will be glad to explain it. I think it is in the War Department release. I believe I have a copy of that here.

**Mr. MITCHELL.** I think you will find he stressed the boots more than anything else.

**Mr. MACHROWICZ.** He stressed the conditions of the bodies.

**General BISSELL.** Just let me read this, and I think I can clear it up.

He says, "I have thought about this a lot in the past 7 years and freely admit that there was never presented to me any single piece of evidence that could be taken as absolute proof, but the sum of the circumstantial evidence, impressions formed at the time of looking at the graves, what I saw in people's faces, all forces the conclusion that Russia did it."

**Mr. PUCINSKI.** Well, General, you didn't answer my question. The question was this: What value did you personally, as G-2 of the United States Army, place on this particular document that Van Vliet dictated and signed?

**General BISSELL.** That by itself was not evidence. Combined with other things which would probably be in the State Department, it would probably be very important and therefore should be gotten to the State Department. It was a matter, I felt, that would involve War Crimes, and should be gotten to War Crimes. If it went to the State Department, they had a section that dealt with war crimes. I could have short-cut it direct to War Crimes, but my intention was to get it to the State Department first.

**Mr. PUCINSKI.** But you did place enough significance and importance on this document to—

**General BISSELL.** What is that?



Mr. PUCINSKI. You did place enough significance and importance on this document, the Van Vliet report, to, one, get a special secretary to take the dictation and have her destroy the notes.

General BISSELL. No, I would like to clear that up.

Mr. PUCINSKI. All right.

General BISSELL. If Van Vliet had come back, as he should have, under orders, like all returning prisoners of war, he would have gone up to Colonel Lantaff and he would have been assigned to the Captured Prisoners Personnel, Matériel section. Now, there he would have gone to the American or Allied subsection. There was also a foreign section that handled foreign prisoners of war.

If he had gone there, he would have found people specializing in just that sort of thing, and he would have been one of a number of cases. His was a more important one. There he would have met the same girl that took his dictation up in my office, a girl who was familiar with that kind of work.

Now, he didn't come in that way. He came to my office, and he insisted on seeing me. I had no objection. I didn't know he was there until I got to the office.

Chairman MADDEN. Didn't you testify to this before?

General BISSELL. Sir?

Chairman MADDEN. Didn't you testify to this before?

General BISSELL. Yes, I did testify to it. Now, that is the only reason that I called for a secretary from the CPM section. That was the only branch that knew about it.

Mr. PUCINSKI. General, the only thing I am trying to get from you now is this: You must keep in mind that the staff of this committee has spent a lot of time looking for this Van Vliet report.

General BISSELL. So have I.

Mr. PUCINSKI. Because this staff considers the Van Vliet report very, very important in the Katyn story. Now, we want to find out from you now whether or not you share with us that same opinion. Was it a very important document at that time?

General BISSELL. It was very important at the time because the consensus of expressed opinion was that the Germans had done it, and here was something on the other side.

Mr. MITCHELL. Why didn't you order a study of it?

Chairman MADDEN. Wait a minute. Let the witness complete his answer.

Mr. MITCHELL. Well, I was going to ask him why he didn't order a study of it.

Chairman MADDEN. Don't interrupt the witness. Go ahead.

General BISSELL. I felt that under those circumstances—there had been this previous announcement by the Germans accusing the Russians, and an announcement by the Russians accusing the Germans. Therefore it ought to go over to where all of this information would go, which would be the State Department.

Mr. MACHROWICZ. I think the general has already stated at least a dozen times that he considered it so important that he labeled it "top secret" and that he still considers it important.

**Mr. MITCHELL.** You heard the general himself testify this afternoon that he had all kinds of specialists. He had a whole file of missing Polish officers. He had a file on Katyn handled by Colonel Yeaton. Why didn't the general ask some member of his staff to make up a study on this to determine one way or the other?

**Mr. O'KONSKI.** That leads to a question I want to ask.

**Mr. MITCHELL.** Wait a minute. He hasn't answered that one. Why didn't you do that?

**General BISSELL.** This particular matter would not have been one that would have gone to the specialists under any consideration.

**Mr. MITCHELL.** You had political specialists there.

**General BISSELL.** Yes. Now, wait, you have to get set here. If this material had come through the mail, it would probably have gone to CPM, right where the girl came from who took the dictation. If it had come in there unlabeled and if a relatively new person in G-2, someone with only 30 days of experience had handled it, he might have sent it to either one of two specialists. He might have said, "Well, this is a Russian thing," or he might have said, "It is a Polish thing," or he might have said, "It is a German thing." So it could have gone to a German specialist or a Russian specialist or a Polish specialist—the Russian and the Polish specialists were together every day, the two of them.

If it had gone down there, they would have checked it, and Van Vliet wouldn't have gotten through so quickly. They would have been on the lookout, and they would have gone over it with Van Vliet, and they would have checked it, and I would have received some reports on it. It would have been in G-2 for a long time.

**Mr. MITCHELL.** Why didn't you send Van Vliet to your Russian specialists?

**General BISSELL.** Because I felt that the Van Vliet situation was such that I had to make a decision as to whether it was better for the man in his then condition to get this out of his system, which he was certainly anxious and eager to do, or to send him down and let him go through the mill or to send him to Walter Reed and see if he was physically all right to testify before we put him on the griddle.

Although I had met him and knew that he was tired, I also knew that he was so full of this that there was no doubt to me but that he would do the best job if I were to let him make his statement and get it off his chest and then get him on to his home, as he wished; and I did that. I am human, and I knew he had been in a prison camp.

**Mr. MITCHELL.** So am I. Why didn't you then turn over the Van Vliet report to McKellar or to Yeaton, who had both been military attachés in Moscow?

**General BISSELL.** Because anything that would have been in their files would have been in the State Department files. Therefore, sending this to the State Department gave them the same opportunity. Also the State Department had primary interest in political matters, not the Army.

**Mr. MITCHELL.** Why didn't you make an extra copy then for your own files?

General BISSELL. I told you the details of the making of the copies and exactly why there was not a second one made. That is all covered in my testimony and sworn to.

Mr. O'KONSKI. General, to cut this short, let me ask you one question. Let's be realistic about this.

General BISSELL. Sir?

Mr. O'KONSKI. To shorten this, let me ask you this: Let's be realistic about this. Even if the Russians had admitted that they had committed the crime of Katyn, the policy which your branch of the service followed and the policy which our State Department and our Defense Department followed would have been the same because we were having a policy of not doing anything at that time to arouse the ire of Russia. Isn't that correct?

General BISSELL. Well, studying it would not have aroused their ire. Only publicity would have aroused their ire. As long as you kept it within Government services, that would not have influenced that particular part of it.

Mr. O'KONSKI. Then let me ask you this question: If you had handled the Van Vliet or the Katyn incident in accordance with the expressed views and hopes of the higher-ups above you, you certainly would have heard about it, would you not, General?

General BISSELL. Well, let's get this straight. I wasn't actuated or induced to do anything from fear of reprisal. That kind of man is no good in a key job in the War Department. You have got to have somebody who will act on his own responsibility, knowing the chief's policies.

Mr. O'KONSKI. That isn't what I meant. What I mean is this: You, in handling the Katyn matter in the way that you did, felt that you were carrying out your duties and responsibilities under your oath and your commander in chief in implementing the foreign policy in existence at that time?

General BISSELL. As I understood it at that minute with the facts available then.

Mr. O'KONSKI. That is right. This is the basis of the whole story.

Now, I have one other question. Knowing what you do now about the Katyn matter and the terrible price that we are paying for that policy of appeasement, do you think that it was a wise policy? I am asking just for a conjecture on your part.

Considering how the matter was handled at the time, do you think you would handle it in the same manner as it was handled at that time knowing what you know now?

General BISSELL. With the facts of 7 years' experience with the Russians, I certainly would not. There is no doubt about that.

Mr. O'KONSKI. Thank you.

General BISSELL. But you wouldn't have had the same kind of thing 7 years later. That is an impossible question to answer, but I think I know what you are driving at.

With all the knowledge of all of the changes that have developed since—sure we will do whatever we can now to get our story to the people of America and to the people of the world. We have to.

Mr. PUCINSKI. General, I wonder if I can just read one paragraph from your previous testimony. When you testified before this committee on June 3, you said:

What becomes important is a matter of history and development. No one suspected that this one thing—

meaning the Van Vliet report—

would be of anything like international significance.

Mr. Machrowicz at that time asked you:

Did you say you recognized the importance of the document?

You replied at that time—and this is at page 78 of the written transcript:

Yes; I did. You bet, but not the kind of significance it has in today's world because nobody could have foreseen the situation that we have today.

Mr. MACHROWICZ. Did you say the very same thing today, that is, that you did consider it important?

General BISSELL. I certainly did consider it important.

Mr. PUCINSKI. May I ask you this, General: You heard Mr. Holmes and Mr. Lyon?

General BISSELL. Yes.

Mr. PUCINSKI. We discussed this matter with you at frequent intervals. Are you satisfied, General—

General BISSELL. What do you mean when you say that you discussed it with me at frequent intervals?

Mr. PUCINSKI. I think Mr. Mitchell—

General BISSELL. We have never talked off the record.

Mr. PUCINSKI. No.

General BISSELL. On any of these things. He has never asked my views.

Mr. MITCHELL. You and I have never talked.

General BISSELL. That is right. It has only been administrative. Now, let's not get anything wrong.

Mr. PUCINSKI. In the light of everything that has been presented here, the testimony of Mr. Holmes and the testimony of Mr. Lyon, together with the letters of transmittal, and your own doubt as to whether or not you sent it to the State Department, are you today satisfied in your own mind that this report did not go to the State Department?

General BISSELL. I am more strongly of the belief that it did go there because of what Mr. Holmes showed you yesterday. He answered a letter saying that they didn't have a certain report that they had had for a year. Now, I believe that because you have the evidence on it. He had already said in writing to me, speaking for the Secretary and as his assistant, that it wasn't in the State Department.

I expressed to you a doubt about that, and you wanted to know what was the significance. The significance was, as I said, that I didn't think they would have stopped going after it if they didn't have it.

Well, I was right. They had it. It did bring out that the Van Vliet report was there for the first time for sure.

Now, they had known it before, but that was the first time that—and it confirmed Van Vliet's statements, not his conclusions.

It confirmed that he would never talk to anybody until he got to his own people in a neutral country or his home.

Now, I wish I had gotten my teeth into that.

Mr. O'KONSKI. I have just one short question.

General, did the State Department ever show you any real interest in the Katyn massacre? Did they ever ask you for information regarding the Katyn matter?

General BISSELL. No. I am sorry; I think I didn't follow you. Suppose I made a mistake. Make the assumption that I didn't send it. Why didn't they come back on that letter?

You asked Mr. Lyon why he didn't check back. A check had been made in one office, but there were a lot of offices where the paper might have gone in the State Department. It had been processed there for 5 days less than 2 months.

You asked him about one office. Why didn't he check in others?

Mr. O'KONSKI. In other words, they were not very interested?

General BISSELL. They might have been interested, but had a policy.

Mr. O'KONSKI. At that time, as you know now, they had more information than you had.

General BISSELL. I know, because you brought out one document here that I never saw before.

Mr. MACHROWICZ. I have only one question to ask, and that is because a statement has been made which contradicts the record, and I think you want to correct it because I think it is important. It has no direct bearing on the Katyn massacre, but was a statement that you made this afternoon.

At the time the Yalta Conference was being discussed, you said that we paid a terrible price to Russia in terms of territorial concessions. I think that what you wanted to say was not that we were paying a heavy price for territorial concessions, but that they were asking our ally, Poland, to pay a heavy price in territorial concessions, even though they were not invited to Yalta, because actually we made no territorial concessions; did we?

General BISSELL. She got no part of the United States, but if you think that passing the Kurile Islands to Russia wasn't a territorial concession—that backs right up against us——

Mr. MACHROWICZ. The one big territorial concession was turning Poland over to Russia; wasn't it?

General BISSELL. History will have to write which will be the more important one. Poland will rise again if Russia doesn't swallow the world. Poland always will.

Mr. DONDERO. How about Manchuria, which had belonged to China?

General BISSELL. I don't think that is going to prove to be the most important. Poland can rise again if communism doesn't swallow the world. Poland has that kind of people.

Mr. PUCINSKI. General, as a summation of our effort to find this report, it is still your conclusion today that the State Department got the Van Vliet report as far as you know?

General BISSELL. I still have the same reasons to believe it went there and stronger ones.

Chairman MADDEN. Are we going back over that again?

Mr. MACHROWICZ. If you ask him that 10 more times, the answer will be the same.

Am I right, General?

General BISSELL. I will tell the truth every time you ask me.

Mr. PUCINSKI. Would you like to finish that statement for the record, General?

General BISSELL. I don't know where I was.

Mr. PUCINSKI. I had asked you if it is your contention today in finality that the State Department received the Van Vliet report from you?

General BISSELL. I have never said they received it. I said I had reason to believe it did, and I stated the reasons. How can I know whether they received it?

Mr. PUCINSKI. All right.

Mr. MACHROWICZ. That is the answer you will always give?

General BISSELL. Yes.

Mr. SHEEHAN. Mr. Chairman, I have a couple of questions.

General BISSELL. If I may, I would like to introduce at this time three papers which I think the committee would be interested in.

Chairman MADDEN. Congressman Sheehan has a couple of questions.

Mr. SHEEHAN. You stated earlier in your testimony, General, that one of the reasons you were following this line of action was because you had received your orders from President Roosevelt and he had shown you the Yalta agreement—

General BISSELL. President Roosevelt never showed me the Yalta agreement. I had seen the Yalta agreement.

Mr. SHEEHAN. You had seen it?

General BISSELL. Yes. President Roosevelt never showed it to me.

Mr. SHEEHAN. You had seen the Yalta agreement in which they had set up the provisions for forming the United Nations; is that right?

General BISSELL. I will have to look at it. That wasn't one of the conclusions I outlined here.

Mr. SHEEHAN. It is in there.

General BISSELL. All right.

Mr. SHEEHAN. I was wondering whether when you looked at the Van Vliet report you may have thought about how it might have affected the formation of the United Nations and whether that was in your mind.

General BISSELL. Certainly, the United Nations were very close to me for several reasons. They took my best secretary away, and you miss a thing like that, and I was hot about it.

Mr. MITCHELL. Wait a minute. I want to correct that one.

Chairman MADDEN. Correct it after he gets through. Give the witness the privilege of answering the question.

Mr. MITCHELL. All right.

General BISSELL. Thank you, sir.

Chairman MADDEN. Go ahead.

General BISSELL. My secretary was going to Yalta. I would much rather have had her in my office. I needed her and hated to give her up. But that is chicken feed. That is the sort of thing you have in front of you when somebody else is doing good work.

But I also knew the importance of the thing, and months before the United Nations got into the form of a final draft, a draft passed over my desk and I was asked to comment on it. I knew about this thing long months before and had a good background in what was going on in the United States in those days as far as the fields in which I was interested, that is, intelligence, bore any influence.

Mr. SHEEHAN. In other words, in your opinion, if the Van Vliet report, which its conclusions had become public property at that time, would it or would it not have had any effect on the formation of the United Nations?

General BISSELL. I don't think the Russians would have sat down the first time if that had come out. They would have gotten mad just like when you all asked them for some help.

Mr. SHEEHAN. That is all.

Chairman MADDEN. Are there any further questions?

General BISSELL. May I introduce these three papers?

Chairman MADDEN. Proceed. What are they? How voluminous are they?

General BISSELL. You don't have to read these if you don't want to. There have been inferences that I jumped over my boss' head and should have gone through him. I would like to submit these documents which deal with two of the three Distinguished Service Medals that were awarded me as G-2 and which recite why for the period covered by these particular citations.

I would like to have the originals back, if I may. I would also like to put into the record something that has previously been restricted, a decoration from the Polish Government in exile awarded to me on the day before Van Vliet came into my office. It was restricted until yesterday or the day before.

Mr. DONDERO. I do not want to object to this, but I think you are famous enough without those three.

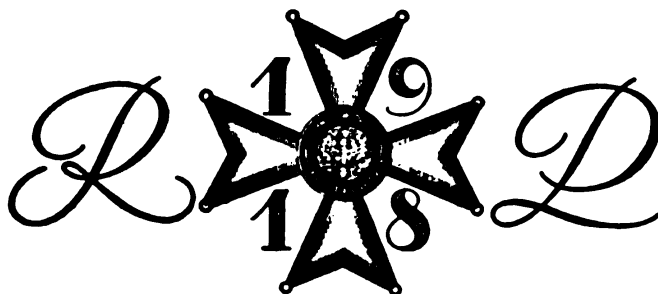
General BISSELL. I am not famous at all.

Mr. PUCINSKI. Mr. Chairman, these three letters will become group exhibit No. 40.

Chairman MADDEN. Without objection, group exhibit No. 40 will be admitted into evidence.

(The document referred to was marked for identification as "Group Exhibit No. 40," and are as follows:)

EXHIBIT 40—GENERAL BISSELL'S COMMENDATIONS



KANCLERZ ORDERU  
ODRODZENIA POLSKI

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PREZYDENT RZECZYPOSPOLITEJ

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18-go MAJ A 1945 roku

zaliczył

MAJOR-GENERAL CLAYTON L. BISSELL

w poczet  
Kawalerów Orderu  
Odrodzenia Polski  
nadając Mu odznaki

K R Z Y Ż A K O M A N D O R S K I E G O

tego orderu

KANCLERZ

*Kazimierz Komarowski*

SEKRETARZ

*A. J. M. G. J.*



CITATION FOR DISTINGUISHED SERVICE MEDAL  
(Oak Leaf Cluster)

Major General Clayton Bissell performed outstanding services as Assistant Chief of Staff, G-2, War Department General Staff, from February 1944 to September 1945. He displayed vigorous leadership in reorganizing the G-2 Division on a highly practical basis to provide the General Staff and the combat theaters with operational intelligence of great value. By integrating special communications with the dissemination of operational intelligence, he made possible a quicker, more effective use of intelligence by all theater commanders. Through a keen appreciation of the relationship between intelligence activities and combat operations, he contributed materially to the successful prosecution of the war. His repeated contacts with all theater commanders, air force commanders and Allied intelligence activities brought about a mutual understanding and confidence which resulted in better coordination and integration of Allied and American military intelligence. He was at all times available for counsel and advice to other staff sections and was extremely helpful to them in their work. His aid in evolving broad policies proved of high value to the Chief of Staff at various international conferences. As War Department representative on United States Joint Security Control he was responsible in large measure for the success attained by both the United States Joint Security Control and the Combined Security Control organizations in maintaining security of information and in developing and executing the War Department's strategic deception responsibilities. By his dynamic ability to integrate intelligence activities and apply them quickly and directly to the ever-changing global situation, General Bissell performed noteworthy services for the United States.

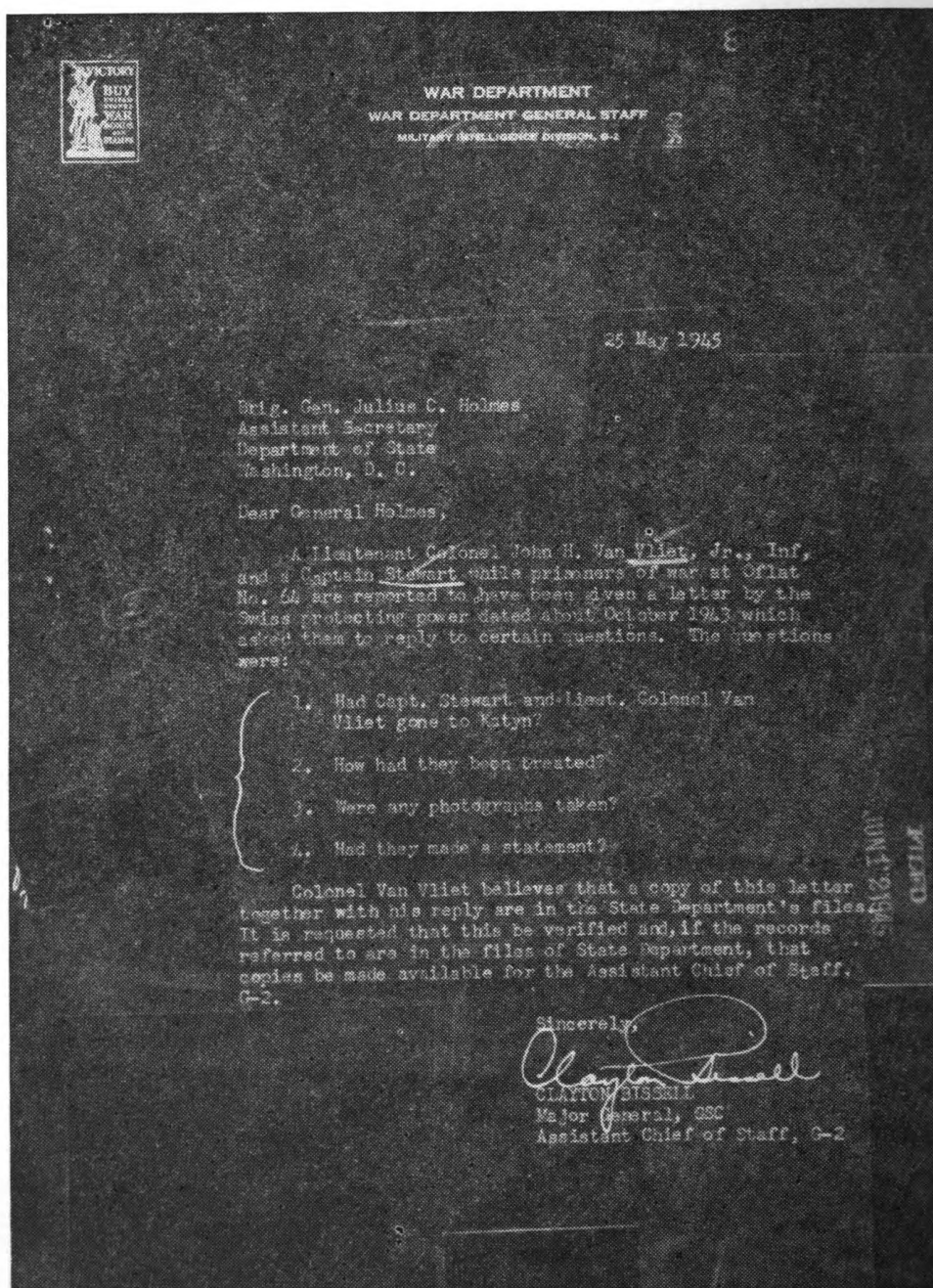
WAR DEPARTMENT  
THE ADJUTANT GENERAL'S OFFICE  
WASHINGTON 25, D. C.

IN REPLY REFER TO:

CITATION FOR DISTINGUISHED SERVICE MEDAL  
(2nd Oak Leaf Cluster)

Major General Clayton Bissell performed services of the utmost importance as Assistant Chief of Staff, G-2, War Department General Staff, from September 1945 to January 1946. Envisioning the Military Intelligence Division as a vital link in any national intelligence agency of the future, at the conclusion of the war with Japan he vigorously applied himself to reorganizing the division for peacetime. His keen appreciation of intelligence capabilities, foresightedness, leadership and ability to discharge great responsibilities successfully bridged the gap between a large, complex intelligence organization geared to the problems of war and that of an effective machine prepared for post-war eventualities. His sound and timely advice to the Secretary of War and the Chief of Staff on intelligence and allied problems was extremely helpful in the formulation of broad policies of far-reaching effect on the military establishment.





Chairman MADDEN. Are there any further questions?

Mr. O'KONSKI. I have just one comment.

General, if you had acted any differently it would not have done any good, because you would have been overruled anyhow.

General BISSELL. It never entered my mind to do it any other way than the way I did do it, so I don't know what would have happened.

Chairman MADDEN. General, we want to thank you for your testimony here this afternoon.

General BISSELL. May I take this opportunity to thank the committee and its counsel for the fairness with which they treated me. I

think they wished to get at the bottom of the matter, and yet they have been courteous and gentlemen. I like it.

Mr. MACHROWICZ. Mr. Chairman, before we close the testimony, I have a matter to bring up.

Mr. Sheehan has received information regarding a witness which I think is very important. If we conclude the hearings today, I think it should be done with the understanding that depositions will be taken of this witness and made a part of the record. Depositions can be taken in the next 2 or 3 days.

I would rather not reveal the name, but he is a witness who will testify as to whether or not the broadcasts were censored with relation to the Katyn incident.

Chairman MADDEN. Do you want this admitted in evidence?

Mr. MACHROWICZ. No. I think we should take a deposition.

Mr. DONDERO. My comment is this: It would seem to be merely cumulative, and there are volumes of it in the record now. It is mounting a little higher, but I cannot see any motive to be served.

Chairman MADDEN. The counsel will analyze the letter and get an affidavit after consulting with the chairman.

Mr. SHEEHAN. Let me say for the record, Mr. Chairman, that letter is from the chap who is head of one big broadcasting unit of one of the big broadcasting chains. He states that he was head of one of the big broadcasting chains, of the foreign short-wave section, and he was given information or directions by the Office of War Information to play down, not to mention Katyn at all. He tells us where he can get the evidence where the communications came from, from the Office of War Information. That is important.

If that is so, Mr. Cranston and Mr. Elmer Davis and all of them have been telling stories. If it is not true, then it won't even be in there.

Chairman MADDEN. We will get his testimony, then.

This closes the testimony of the Katyn hearings. We started the testimony in October 1951, and when Congress convened this last spring, we held hearings in Washington and Chicago.

Afterward, we held hearings in London, England, and Frankfurt, Germany.

I want to thank the members of the committee, and the staff, for their diligence and their outstanding work in this arduous task, because when we started the work of the committee we were indeed pioneering.

When this resolution appeared before the Rules Committee and when it appeared before the Congress we had very little to work on. There were very few Members of Congress that had any recollection of the Katyn massacre.

But, nevertheless, to the credit of Congress, they approved our resolution and gave this committee authority to act. They also gave us authority, under another resolution, to go to England and Europe to take evidence, for which we are very grateful.

The committee also desires to express deep appreciation to all other individuals who cooperated in the work of this committee in investigating the Katyn massacre. We especially want to commend the Acting Secretary of State for Congressional Affairs, Mr. Ben H. Brown, Jr., also former War Department Counselor Francis Shackel-

ford, and the present War Department counselor, Mr. B. A. Monahan, for their cooperation.

We also wish to thank the chairman of the Banking and Currency Committee. We owe him deep gratitude for allowing us to use this hearing room.

We also wish to thank the Members of the House Banking and Currency Committee staff, who deserve commendation, Mr. William J. Callahan, clerk, and Miss Helen Ryan.

We also wish to thank especially the members of the press for their diligent and honest reporting of the proceedings of the committee, who have covered the hearings here especially this week, and who, in accordance with the American tradition, presented all sides of the Katyn question to the American people.

Now, as the members of the committee know, and the press knows, this testimony is what the committee decided would be the second phase of the hearings. We filed our interim report before Congress adjourned in July, which recorded the findings of the committee as to the guilt of the nation that committed the massacre.

By agreement of the committee it was decided to hold hearings regarding the disappearance of the files pertaining to the Katyn massacre at the present hearings. The final report will be prepared by the committee, and it is the hope of the committee that we will get this final report filed at the earliest possible time.

It must be filed before December 31 of this year.

I wish to thank again the members of the committee and the staff for their cooperation.

Mr. DONDERO. Might I make a statement here, Mr. Chairman?

Chairman MADDEN. Certainly, Mr. Dondero.

Mr. DONDERO. Mr. Chairman, as the ranking Republican member of this committee, I want to express, on their behalf and my own, our complete satisfaction with your fairness and justice, your patience and tolerance all through the hearings, both here in America and in England and Germany.

You have conducted the hearings with great ability, with competence and, I think, with justice at all times uppermost in your mind and fairness for everybody involved.

I just want the Congress to know we appreciate the work you have done. I think you have done a fine job in discharging your duty and responsibility in a very creditable way.

Mr. O'KONSKI. I want to second that.

Mr. SHEEHAN. I join with my colleagues.

Mr. MACHROWICZ. So will I.

Chairman MADDEN. Thank you.

The committee is adjourned.

(Thereupon, at 3:45 p. m., the hearing was adjourned.)

## APPENDIX

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### EXHIBIT 37—EXCERPT OF HOUSE UN-AMERICAN ACTIVITIES COMMITTEE HEARING (FILE IN APPENDIX)

Date: *November 13, 1952.*

Subject: United World Federalists, Inc.

Public records, files, and publications of the Committee on Un-American Activities contain the following information concerning the organization known as United World Federalists, Inc.:

The Washington, D. C., Evening Star reported in an article in the April 4, 1947, issue (p. A-16) that the United World Federalists was formed in a merger of Americans United for World Government, World Federalists, Student Federalists, Massachusetts Committee for World Federation, and World Citizens of Georgia. Neither the United World Federalists, Inc., nor any of the organizations which merged to form it has ever been investigated by the Committee on Un-American Activities or cited as a Communist-front organization by any official government agency.

A folder published by the New York State branch of the United World Federalists shows that this group is a member of the World Movement for World Federal Government, "an international coordinating association with member organizations in the following countries: Australia, Austria, Belgium, France, Germany, Great Britain, India, Italy, Luxembourg, Netherlands, New Zealand, South Africa, Sweden, Switzerland, United States of America."

In the issue of Newsweek magazine dated October 18, 1948 (p. 36), the United World Federalists, Inc., was described as "the nation's biggest world-government group \* \* \*."

The Washington representative of the United World Federalists, Inc., has offered the full cooperation of his group to this Committee at any time it might become necessary.

The following excerpts are from articles appearing in Communist literature regarding such organizations as United World Federalists and are being set forth herein merely for informative purposes:

A feature article in the Worker for March 19, 1950 (p. 5, magazine section), is entitled "The World Government Plan" by Frieda F. Halpern. She says: "The slogan for 'world government,' whatever it may mean to many honest advocates of peace, is, in reality, but a reflection in the area of political ideology of the aspirations of American foreign policy to dominate the world. This slogan, with its promise of a peaceful world, represents, in reality, a movement toward American world empire. How can a slogan, which has rallied thousands who reject the concept of American imperialism, be at the same time for peace and for world empire? The key to this seeming riddle is to be found, not in the membership of the 'world government' organizations but in their sponsorship. There, among the sponsors, one will find as fine a collection of the monopolists, military men, and anti-Soviet careerists as can be found anywhere, together with university presidents, National Democratic and Republican Committeemen, and churchmen, the whole adding up to a sponsorship both very 'respectable' and most obviously nonradical. The 'world government' movement in the United States is sponsored by a number of organizations, each with its own particular form of 'world government' and each having Russia on the brain." Among the organizations listed for condemnation in this article is "The United World Federalists."

The Cominform organ, For a Lasting Peace, For a People's Democracy, for April 7, 1950, carries an article entitled "Struggle of Communist Parties Against Bourgeois Ideology" from which we quote:

"American imperialists, together with the bourgeoisie and the Right Socialists in the Marshallized countries are trampling ever more cynically and openly upon the national sentiments of peoples, and oppose the idea of national sovereignty. They seek to poison the working class with the venom of cosmopolitanism to make it submit to the rule of American monopolists."

The following is quoted from the July 1949 issue of Political Affairs, theoretical organ of the Communist Party, USA, which reprinted this article from the Moscow New Times of April 6, 1949 (No. 15), by A. Leontyev:

"False chatter of a universal culture and science, of a 'world government,' of a United States of Europe and even of the whole world, serves in practice as a screen for the dissemination and propagation of slavish crawling before the venal science of the dollar and decaying bourgeois culture, belief in the charlatan myths about the vaunted 'American way of life,' receptivity to any blackmail of piratical Wall Street diplomacy" (p. 64).

According to the Washington Post of November 23, 1949 (p. 4), Dr. Harold C. Urey, atomic physicist, announced his resignation as a director of the United World Federalists on the ground that he could not agree with the organization's stand on Russia.

An undated letterhead of the United World Federalists, Inc., 7 East 12th Street, New York 3, New York, which was received for files on September 29, 1950, lists the following officers of the organization:

President: Alan Cranston.

Chairman Executive Council: A. J. G. Priest.

Chairman Executive Committee: Cord Meyer, Jr.

Vice Presidents:

Cass Canfield, Chairman of the Board, Harper & Brothers.

Greenville Clark, Lawyer.

Norman Cousins, Editor, Saturday Review of Literature.

Hon. William O. Douglas, Associate Justice, U. S. Supreme Court.

Mrs. J. Borden Harriman, Former U. S. Minister to Norway.

W. T. Holliday, Chairman of the Board, Standard Oil Co. of Ohio.

George H. Olmsted, Chairman of the Board, Hawkeye Casualty Co.

Walter P. Reuther, President, United Automobile Workers.

Robert E. Sherwood, Author, Playwright.

Raymond Swing, Radio News Commentator.

Financial Vice President: Joseph U. Milward.

Program Vice President: Vernon Nash.

Secretary: J. A. Migel.

Treasurer: Duncan M. Spencer, Chairman of the Board, Fiduciary Trust Co.

Counsel: Abraham Wilson.

Assistants to the President:

Robert J. Walker.

Mrs. Marion Etcheverry.

Executive Director: Mrs. J. Donald Duncan.

Field Director: Edward W. McVitty.

Legislative Director: Jerome Spingarn.

Public Relations Director: Richard Strouse.

Organization Liaison: Harden L. Crawford.

Public records, files, and publications of the Committee contain the following information concerning persons listed above: (There is no information reflected in the said records regarding the other named officers.)

#### *Alan Cranston*

In a speech before the House of Representatives, November 4, 1943, the Honorable Fred E. Busbey identified Alan Cranston as Chief of the Foreign Language Division of OWI. Mr. Busbey further stated that an article by Alan Cranston which appeared in Common Ground in the summer of 1941 opposed the "alien registration bill, which in the minds of many was a very necessary war measure. He came out in support of the Communist, Harry Bridges. His article, in many respects, parallels the program of the Communist Party" (Congressional Record, November 4, 1943).

On February 18, 1944, Mr. Busbey again referred to Alan Cranston in a speech before the House; he quoted from testimony of David Karr before the Special Committee on Un-American Activities, April 6, 1943, in which Karr claimed that Alan Cranston sponsored him for the position of senior liaison officer in the Office of Facts and Figures. In the same sworn testimony, Mr. Karr identified

himself to the Committee as having been a writer for the Communist publication, the *Daily Worker*, and for *Equality*, a Communist-front publication.

The name of Alan Cranston appears in a Study and Investigation of the Federal Communications Commission by the Select Committee To Investigate the F. C. C., House of Representatives, 1943.

It should be further noted that, according to the *New York Times* of February 26, 1950, page 7, Alan Cranston, president of the United World Federalists, Inc., denied a charge that his organization "stinks of Communist government" and stated that Communists are barred from membership in his organization.

#### *Norman Cousins*

In an article which appeared in the Communist *Daily Worker* of January 13, 1948, it was reported that "Thirty-five well-known authors, editors, clergymen, and other public figures today called on the new Federal employees Loyalty Review Board to prevent injustices to individuals in the Government's Loyalty check." Norman Cousins was one of those who signed the letter, addressed to Seth W. Richardson, Board Chairman. This article also appeared in the *New York Times* on the preceding day, January 12, 1948 (p. 10).

In the report of the Committee on Un-American Activities entitled, "Review of the Scientific and Cultural Conference for World Peace," dated April 19, 1949, on page 13, we find the following in reference to the speech of Norman Cousins before that organization:

"In answer to this totalitarian philosophy of dragooning culture, Norman Cousins, editor of the *Saturday Review of Literature*, declared amid a great deal of hissing and booing, that: 'democracy must mean intellectual freedom, that it must protect the individual against the right of the state to draw political and cultural blueprints for its painters and writers and composers to castigate them, or to enter into those matters of the mind in which the individual is sovereign.'"

#### *Mrs. J. Borden Harriman*

The Call to the Congress of American-Soviet Friendship shows Mrs. Borden Harriman as a sponsor of the Congress held November 6-8, 1943 under the auspices of the National Council of American-Soviet Friendship, Inc. (See Call \* \* \*, p. 4). A letterhead of the National Council of American-Soviet Friendship, Inc., dated March 13, 1946, named Mrs. J. Borden Harriman as a sponsor of the organization, as did a memorandum issued by the Council, March 18, 1946. In 1944, the Special Committee on Un-American Activities stated: "In recent months, the Communist Party's principal front for all things Russian has been known as the National Council for American-Soviet Friendship" (Report 1311, March 29, 1944, p. 156). The organization was listed later as "subversive" and "Communist" by Attorney General Tom Clark (Letters to Loyalty Review Board, released December 4, 1947 and September 21, 1948).

Mrs. J. Borden Harriman was one of those who sponsored the United States participation in the World Youth Festival held in Prague from July 20 to August 17, 1947, according to the Call to World Youth Festival (p. 3), and the Fact Sheet of the United States Committee for World Youth Festival, New York City.

The Call to World Youth Festival (p. 3) also shows that the Prague Festival, 1947, was sponsored by the World Federation of Democratic Youth and the International Union of Students. The World Federation of Democratic Youth \* \* \* was founded in London in November 1945 by delegates from over 50 nations. \* \* \* From the outset the World Federation of Democratic Youth demonstrated that it was far more interested in serving as a pressure group in behalf of Soviet foreign policy than it was in the specific problems of international youth. \* \* \* So strong was the Communist domination at the London conference that it aroused the deepest concern of the English bishops. (See Report No. 271, Committee on Un-American Activities, April 17, 1947, p. 12-13.)

#### *Walter P. Reuther*

In the testimony of John P. Frey, president of the Metal Trades Department of the American Federation of Labor, given before the Special Committee on Un-American Activities, August 13, 1938, we find:

"Mr. FREY. These are the two-hundred-and-eighty-odd members of the Communist Party who are now or have been on CIO organization payrolls. There are one or two who have not been on the payroll, but I will call attention to them.



"If it is the committee's desire, I will read all these names and turn them over. They are all numbered '1', '2', '3', '4', '5', and so forth, and I will comment on those which are of a more interesting or important character \* \* \*

"134. WALTER REUTHER, Detroit, Mich. This fellow is one of the leaders of the Auto Workers Union and President Martin has preferred charges against him. He visited Soviet Russia and sent back a letter to this country which included the following paragraph:

"'Carry on the fight for a Soviet America.'" (Public hearings, vol. 1, pp. 112 and 125.)

"Mr. FREY. \* \* \* There are two disrupting factors in the automobile workers at the present time. One consists of the bulk of the membership who very much resent the Communist control that was secured of national offices. The other is an internal fight between two factions of the Communist Party. With that I do not want to deal. All that I desire to call your attention to is a complete report of their last meeting, which I am submitting—my report of what went on \* \* \*

"Before the United Automobile Workers Union convention opened in Milwaukee, the Communist Party members held a fraction meeting or caucus Wyndham Mortimer, Ed. Hall, Walter Reuther, and about 90 delegates to the convention who were actual Communist Party members. Also present were William Weinstone, Michigan secretary of the Communist Party; Jack Stachel, of New York, \* \* \*

Mr. Frey also submitted a report of the Second Annual Convention, United Automobile Workers of America, from which these excerpts are taken:

"Since Martin controlled a majority of the delegates to the convention, which he had lined up before the opening day, Lovestone advised a drive to eliminate the regular Communist Party members in the leadership of the so-called unity faction, led by Vice Presidents Wyndham Mortimer, of Flint, Mich.; Ed Hall, of Milwaukee, Wis.; and Walter Reuther, head of the west side local of the union in Detroit. Lovestone's policy was to eliminate Mortimer, Hall, and Reuther and thus strengthen the position of the Trotskyist group behind Martin. There is no question that Martin and Frankenstein, influenced by Lovestone, were prepared to clean house of the Communist group, and it is equally true that up to a month before the convention the Mortimer-Hall-Reuther faction was trying to get rid of President Martin.

"When President Martin, much to the surprise of John L. Lewis and the Mortimer-Hall-Reuther faction, lined up a majority of the delegates to the convention, the latter faction was forced to change its policies. As stated before, the Mortimer-Hall-Reuther faction is Communist-controlled but disguised that fact by calling themselves the Unity Group, as, under the guise of unity, they thought they could save their own necks and possibly build a fire under Martin during the course of the convention.

"Mortimer, Hall and Reuther worked closely with Ora Gassaway, a personal representative of John L. Lewis; Ray Edmundson, president of the Illinois district of the United Mine Workers and CIO director in that State and David Dubinsky, president of the International Ladies' Garment Workers' Union. On the evening of August 25, Charles S. Zimmerman, president of the powerful New York Local No. 22 of the International Ladies' Garment Workers' Union and a leading Trotskyite and follower of Lovestone, arrived in Milwaukee to use his influence on Dubinsky.

"On the same day (Wednesday) a load of Communist leaders came from Chicago, among them Joe Weber, Steel Workers' Organizing Committee organizer in South Chicago; Harry Shaw and Jack Johnstone, who had in the interim returned to Chicago. Upon the arrival of the Chicago group, another Communist Party caucus was called, to which only the top elements were invited. Those present were Jack Stachel, Roy Hudson, William Weinstone, Ned Sparks, Wyndham Mortimer, Ed Hall, Walter Reuther, and B. K. Gebert \* \* \*." (Public Hearings, Vol. 1, pp. 248-251.)

"Mr. FREY. The only material in connection with the 'Automobile Workers' Union which I want to file with the committee is a publication known as 'The Great Sit-Down Strike.' It was prepared by William Weinstone, who is a member of the central committee. He has an impressive record. His name is William Wolf Weinstone, and he is district organizer of district No. 7, Communist Party,

headquarters, Detroit. He has had direct charge of party activities within the Auto Workers' Union from the beginning. Among those reporting to him are Maurice Sugar, who is the counsel for one group of the auto workers, and has been a candidate for office in Detroit on the Communist ticket; also active with him are Roy Reuther, Walter Reuther, William Raymond, and Wyndham Mortimer." (Public Hearings, Vol. 1, p. 255.)

In the testimony of Walter S. Steele, National Republic, Chairman of the American Coalition Committee on National Security, representing various organizations, given before the Special Committee on Un-American Activities in public hearings, August 17, 1938, the following reference was made to Walter Reuther:

"Among those sending greetings to the Second National Negro Congress were \* \* \* Walter Reuther, communistic president of Local 174, of the United Auto Workers Association \* \* \*." (Public Hearings, Vol. 1, p. 626.)

The National Negro Congress was cited by the Special Committee on Un-American Activities as "the Communist-front movement in the United States among Negroes" in its report dated January 3, 1939 (p. 81); also cited in reports of January 3, 1940 (p. 9); June 25, 1942 (p. 20); and March 29, 1944 (p. 180). Attorney General Francis Biddle cited the National Negro Congress as "sponsored and supported by the Communist Party" as shown by the Congressional Record, September 24, 1942 (pp. 7687 and 7688). Attorney General Tom Clark cited the organization as "subversive" and "Communist" in letter furnished the Loyalty Review Board and released to the press by the U. S. Civil Service Commission, December 4, 1947, and September 21, 1948.

In the testimony of John D. McGillis, Secretary, Detroit Council 305, Knights of Columbus, given before the Special Committee on Un-American Activities in public hearings on October 11, 1938, it was shown that Doctors Lendrum and Shafarman of Detroit gave physical examinations to members of the Communist Party, who were able to pay for such examination, but instead billed the City of Detroit. These examinations were in connection with recruiting for Loyalist Spain, and in some cases the doctors "have given them to other people prominent in communistic activities in Detroit." Among the latter Mr. McGillis listed "Walter Reuther and his wife; \* \* \*" (Public Hearings, Vol. 2, pp. 1239, 1247-1248.)

In the testimony of Sgt. Harry Mikuliak, Detroit Police Department, given before the Special Committee on Un-American Activities in public hearings, October 12, 1938, the following reference was made to Walter Reuther:

"Sergeant Mikuliak: \* \* \* Walter P. Reuther is president of the West Side Local 174, and he signs this TB test stating that he could not afford to pay for the examination." (Public Hearings, Vol. 2, p. 1286.)

(Sergeant Mikuliak's testimony refers to the same matter as that referred to in the testimony of John D. McGillis quoted above.)

In the testimony of Clyde Morrow, a Ford Motor Co. employee, given in public hearings before the Special Committee on Un-American Activities on October 21, 1938, the following reference was made to Walter P. Reuther:

"Mr. Morrow. Mr. Martin, in his haste to get the automobile workers organized, went out and hired Communist members to do it. I think Martin thought he could use them 3 or 4 months and get rid of them.

"The CHAIRMAN. And they have gotten to the point where they might get rid of him?

"Mr. Morrow. That is right. They might get rid of Martin the way it looks to me. I hope not.

"The CHAIRMAN. Why cannot the international officers get rid of these men?

"Mr. Morrow. Here is the set-up in Detroit. I only speak for Detroit because that is all I know about in Michigan. The international union has fired many Communist Party organizers. \* \* \* Now, what happens to them when Martin fires them? We have three or four 'red' locals in Detroit, Local 156, which is a haven for discharged officers, and when they are discharged by Martin these 'red' locals immediately hire them as their financial secretaries, or recording secretaries, or organizers. Local 174 is what I would call an old soldiers' home for discharged Communist Party members whom Martin has fired. They are immediately taken in by the Communists in charge of their locals, such as Lloyd Jones and Walter Reuther, and people like that." (Public Hearings, Vol. 2, pp. 1652-1653.)

The following excerpts from the testimony of John M. Barringer, City Manager and Director of Publicity of Flint, Michigan, given in public hearings, October 21, 1938, before the Special Committee on Un-American Activities, concern the sit-down strike at the Chevrolet Motor Co., December 3, 1936:

"Mr. MOSIER. What part would you say that members of the Communist Party, Socialist Party, or the left-wing group of the Socialist Party played in that strike?

"Mr. BARRINGER. They played a very prominent part. We came in contact in every trouble with the Reuther brothers, Travis, and men of that sort.

"Mr. MOSIER. They were men you knew; and, while you could not prove they were members of the Communist Party, you knew they were in sympathy with them.

"Mr. BARRINGER. That is right." (Public Hearings, Vol. 2, p. 1682.)

In the testimony of J. B. Matthews given before the Special Committee on Un-American Activities in public hearings, November 7, 1938, the following reference was made to the Reuther brothers:

"Mr. MATTHEWS. \* \* \* I had personal contact with all three of the Reuther brothers, who have been prominent in the automobile workers union—Walter, Victor, and Roy. The night that Walter and Victor Reuther sailed for Russia, many years ago, I had dinner with them and saw them off, and had some contact with them while they were in Russia and subsequent to their return. I do not know what their exact political connections are at the present time. I only know that their ideology, if I may be permitted to use the word here, is Communist." (Public Hearings, Vol. 3, p. 2188.)

In the testimony of Zygmund Dobrzynski, member of the UAW, given before the Special Committee on Un-American Activities in public hearings, November 14, 1938, the following reference occurred:

"The CHAIRMAN. Mr. Dobrzynski, I believe you were testifying before lunch with reference to the conferences or conversations you had with Mr. Weinstone. Did those conversations take place in his office?

"Mr. DOBRZYNSKI. Yes, sir; they took place in the Communist Party headquarters. \* \* \*

\* \* \* \* \*

"He also mentioned the Reuther brothers, Victor, Walter, and Roy, as workers with them. He stated, of course that they were members of the Socialist Party and not of the Communist Party, but that on certain policies they worked in conjunction with each other.

"The CHAIRMAN. You say he mentioned Roy, Victor, and Walter Reuther?

"Mr. DOBRZYNSKI. Yes, sir; as workers with him in the union on certain policies. He stated to me that they were not members of the Communist Party but were members of the Socialist Party." (Public Hearings, Vol. 3, pp. 2219-2221.)

A Report of the United States Chamber of Commerce, "Communists Within the Labor Movement," which was inserted in the record in connection with the testimony of Dr. Emerson Schmidt in public hearings before the Committee on Un-American Activities on March 26, 1947, contains the following reference to Walter Reuther:

"Gains or even demands made in one sector of the A. F. of L. or the CIO tend to repeat themselves elsewhere. It must be remembered that the labor movement is intensely political. If non-Communist leaders do not gain as much as their opponents, they may soon find themselves with an active Communist opposition in their own union. The opposition makes capital of the reasonable demands of the honest leadership. Hence irresponsibility in labor tends to become infectious.

"An illustration of this analysis can be found in the policies of Walter Reuther. In the political struggles of labor, Reuther is considered a leader of the anti-Communist bloc. But at the same time he is head of a union which has a powerful Communist minority. He faces sabotage not only from this clique but also from the national headquarters of the CIO. Communist influences there have persuaded the top leadership that Reuther is a threat to their positions. As a result, Reuther faces an alternative: he must either be aggressive or retire in favor of some Communist dupe. This explains in part the conflict in his public statements. On the one hand, he may favor increased labor productivity and decry inflationary wage rises. On the other hand, he makes wage demands which cannot be other than inflationary." (Hearings on H. R. 1884 and H. R. 2122, March 24-28, 1947, p. 173.)

Further references to Walter Reuther occur in the Committee's "Hearings Regarding Communism in Labor Unions" in the public testimony of Leon E. Venne and Walter Petersen on February 27, 1947, as follows:

"Mr. STRIPLING. Just a moment, Mr. Venne. In connection with the strike, Mr. Chairman, I would like for the record to show the attitude of the now president of the United Automobile Workers with reference to this local.

"The CHAIRMAN. What is his name?

"Mr. STRIPLING. Walter P. Reuther.

"In a newspaper article which appeared in the Buffalo Courier Express on August 5, 1941, Walter P. Reuther charged that the Allis-Chalmers local was 'dominated by political racketeers of Communist stripe.' He described a local 248 election as 'the worst kind of strong armed political racketeering.' "

"Mr. VENNE. \* \* \* I believe that labor, in order to make any of the gains that labor must make, must clean house, and it doesn't start at the bottom, but it starts at the top. We seen in Allis-Chalmers today a situation that has come about through political maneuvering of two people who want the same job in the United Automobile Workers of America; namely, Walter Reuther and R. J. Thomas. R. J. Thomas is now using the Allis-Chalmers strike to insure that at the next convention he will have 87 votes to cast in favor of his presidency. R. J. Thomas—I mean R. J. Thomas—belongs to the left-wing bloc in the international.

While I don't pretend to call him a Communist, he accepts their support.

"Mr. VENNE. The international—I mean local 248—is exonerated from paying per capita tax to the international union while a strike is in progress. On April 29, the day the strike was called, local 248 had 87 votes at the international convention; that is, they have a vote for every one of the members. They will still carry that 87 votes at the convention that is to be held; I believe it is in September.

"Providing that—I am getting ahead of myself.

"The constitution of the United Auto Workers states that a per capita tax will be based on a period of 1 year preceding 60 days from the convention date, which means that, if the strike continues to approximately June 31, then local 248 will carry 87 votes to support R. J. Thomas in his fight against Walter Reuther; whereas if the strike was settled, say, today, we will have to figure some months on an 87 basis and some months at possibly—I would state that if the strike were settled today the members of local 248 would drop to an all-time low of probably 2,000 to 3,000 on the outside, and probably less.

"The CHAIRMAN. Then, Mr. Venne, do you mean to imply that the real purpose of this strike is to determine the national leadership between Reuther and Thomas?

"Mr. VENNE. I will put it this way, sir: The continuation of this strike—the continuance of the strike, is due to the—rests on the political angle of—the international fight for the presidency of the U. A. W. of A."

"Mr. STRIPLING. Did you hear the testimony of the preceding witness, Mr. Venne?

"Mr. PETERSEN. Yes.

"Mr. STRIPLING. What do you have to say concerning his testimony about the 87 votes?

"Mr. PETERSEN. That is right. If the strike is prolonged until June 1947, which would be about 60 days before the date of the convention, local 248 would still carry 87 votes \* \* \*; and, if the strike was settled before that, they would lose, approximately, about 30 votes. \* \* \*

"Mr. MUNDT. You mean they would lose about 60 votes?

"Mr. PETERSEN. They would lose about 60 votes.

"Mr. STRIPLING. Have you made any effort to oust the Communists—as a member of good standing?

"Mr. PETERSEN. Yes; we did. We have been in and out of this fight practically since 1939. In 1941, I had much correspondence with Clare Hoffman. We already knew about it.

"Mr. STRIPLING. Did you ever communicate with any of the international officers of the union?

"Mr. PETERSEN. I did.

"Mr. STRIPLING. Did you communicate with them? Who did you communicate with?

"Mr. PETERSEN. I communicated with Mr. Reuther and Mr. Murray both.

"Mr. STRIPLING. Walter Reuther?

"Mr. PETERSEN. Yes.

"Mr. STRIPLING. Did you get any response?"

"Mr. PETERSEN. We never received any response from them whatsoever."

\* \* \*

"Mr. STRIPLING. Were you alone in your petition to Mr. Murray and Mr. Reuther?"

"Mr. PETERSEN. No. This dates back to last September 1946. There was about four or five of us from our department who got together and talked things over and we gradually expanded \* \* \*. We decided at last that there was no way we could beat them but by going on the other side of the fence and withdrawing our support from the union, which we did. There was at that time about 3,000 of us that went in and more workers came in right along and in the latter part of November we had repudiation cards printed \* \* \*.

"Mr. STRIPLING. \* \* \* How many members of local 248 signed such a card?"

"Mr. PETERSEN. We had approximately—at the time we sent the petition in, we had 2,600 of those cards signed.

"Mr. STRIPLING. Where did you send the petition?"

"Mr. PETERSEN. We sent it to Mr. Reuther—one to Mr. Reuther and one to Mr. Murray.

"Mr. STRIPLING. And you received no reply from them?"

"Mr. PETERSEN. We received no reply whatsoever.

\* \* \*

"Mr. PETERSEN. \* \* \*

"It happened that on December 8, Walter Reuther was in town, was in Milwaukee, and we made an attempt to contact him. I had tried to contact him all that day at different points around town. I knew where he was and failed to make connections. When the rioting happened on this Monday, we put out a call for a special meeting for that evening \* \* \*.

"During the course of the meeting I stated the fact that Reuther was in town the day before and failed to notify us or get in touch with us, and I failed to contact him, and what happened that day out at the plant. We took that for his answer to our demands." (Hearings Regarding Communism in Labor Unions in the United States, February 27, July 23, 24, and 25, 1947, pages 36, 48, 51-53.)

It is to be noted that Walter Reuther has been president of the United Auto Workers since 1938 and that this organization, under the leadership of Walter Reuther, has for the past few years made a determined effort to rid itself of Communist Party members who had infiltrated its official family.

It is also noted that Walter P. Reuther was one of the signers of an anti-Communist statement of the organization, Americans for Democratic Action, as reported in the "ADA World," June 18, 1947, page 2.

According to its organizers, the organization known as Americans for Democratic Action was designed to "expand the New Deal social and economic program at home and support 'democratic movements based on the Four Freedoms through the World,'" and the group also rejected "any alliance with totalitarian forces of the left or right." (See Washington Evening Star for January 4, 1947, p. A-4.)

*Robert E. Sherwood*

It is noted that the Worker of December 19, 1948, page M-10, listed Robert E. Sherwood's book, "Roosevelt and Hopkins," among the "Best Book Buys for Holidays." The Worker is the Sunday edition of the Daily Worker official organ of the Communist Party.

*Raymond Swing*

The following references to Raymond Gram Swing are found in the records of the Committee:

Raymond Gram Swing was a sponsor of the Soviet Russia Today dinner celebrating the Twenty-Fifth Anniversary of the Red Army, as shown in "Soviet Russia Today" for April 1943 (p. 31).

"Soviet Russia Today" was cited as a Communist-front publication in Reports of the Special Committee on Un-American Activities dated June 25, 1942, and March 29, 1944.

A letterhead dated March 13, 1946, and a memorandum dated March 18, 1946, issued by the National Council of American-Soviet Friendship, listed Raymond Swing as a sponsor of the organization. The citation of the National Council of American-Soviet Friendship appears on page 4 of this memorandum.

Reference to Raymond Gram Swing appears in public hearings held September 25, 1947, by the Committee on Un-American Activities, regarding Hanns Eisler.

A letter addressed to the Honorable Cordell Hull, Secretary of State, from Raymond Gram Swing, 36 East Fortieth Street, New York City, dated March 28, 1939, was introduced as evidence by Mr. Robert E. Stripling, Chief Investigator for the Committee. In this letter, Mr. Swing urged extensions of stay in the United States for Mr. and Mrs. Hanns Eisler (Hearings Before the Committee on Un-American Activities, September 24, 25, 26, 1947, p. 134).

The Immigration and Naturalization Service ordered the deportation of Hanns Eisler. The deportation order came after an immigration hearing in New York into a charge that Eisler "was a member in Germany of a group advocating the violent overthrow of this Government." (See Washington Evening Star for February 13, 1948, p. B-5; also New York Times for February 13, 1948, p. 12.)

It is noted that Raymond Gram Swing was one of those who signed an anti-Communist statement of the Americans for Democratic Action, which statement appeared in the "ADA World" for June 18, 1947, page 2. See page 11 of this memorandum for a characterization of the Americans for Democratic Action.

#### EXHIBIT 38—TEHRAN-YALTA-POTSDAM AGREEMENTS

[Documents formulated at the Crimea (Yalta) Conference, February 4-11, 1945]

#### PROTOCOL OF THE PROCEEDINGS OF THE CRIMEA CONFERENCE

The Crimea Conference of the Heads of the Governments of the United States of America, the United Kingdom, and the Union of Soviet Socialist Republics, which took place from February 4th to 11th, came to the following conclusions:

#### I. WORLD ORGANISATION

It was decided—

(1) that a United Nations Conference on the proposed world organisation should be summoned for Wednesday, 25th April 1945, and should be held in the United States of America.

(2) the Nations to be invited to this Conference should be—

(a) the United Nations as they existed on the 8th February 1945; and

(b) such of the Associated Nations as have declared war on the common enemy by 1st March 1945. (For this purpose by the term "Associated Nations" was meant the eight Associated Nations and Turkey.) When the Conference on World Organisation is held, the delegates of the United Kingdom and the United States of America will support a proposal to admit to original membership two Soviet Socialist Republics; i. e., the Ukraine and White Russia.

(3) That the United States Government on behalf of the Three Powers should consult the Government of China and the French Provisional Government in regard to the decisions taken at the present Conference concerning the proposed World Organisation.

(4) that the text of the invitation to be issued to all the nations which would take part in the United Nations Conference should be as follows:

#### INVITATION

"The Government of the United States of America, on behalf of itself and of the Governments of the United Kingdom, the Union of Soviet Socialist Republics, and the Republic of China, and of the Provisional Government of the French Republic, invite the Government of ----- to send representatives to a Conference of the United Nations to be held on 25th April 1945, or soon thereafter, at San Francisco in the United States of America, to prepare a Charter for a General International Organisation for the maintenance of international peace and security.

"The above-named governments suggest that the Conference consider as affording a basis for such a Charter the Proposals for the Establishment of a General International Organisation, which were made public last October as a result of the Dumbarton Oaks Conference, and which have now been supplemented by the following provisions for Section C of Chapter VI:

#### "C. Voting

1. Each member of the Security Council should have one vote.

2. Decisions of the Security Council on procedural matters should be made by an affirmative vote of seven members.

'3. Decisions of the Security Council on all other matters should be made by an affirmative vote of seven members including the concurring votes of the permanent members; provided that, in decisions under Chapter VIII, Section A, and under the second sentence of paragraph 1 of Chapter VIII, Section C, a party to a dispute should abstain from voting.'

"Further information as to arrangements will be transmitted subsequently.

"In the event that the Government of ----- desires in advance of the Conference to present views or comments concerning the proposals, the Government of the United States of America will be pleased to transmit such views and comments to the other participating Governments."

#### *Territorial trusteeship*

It was agreed that the five Nations which will have permanent seats on the Security Council should consult each other prior to the United Nations Conference on the question of territorial trusteeship.

The acceptance of this recommendation is subject to its being made clear that territorial trusteeship will only apply to (a) existing mandates of the League of Nations; (b) territories detached from the enemy as a result of the present war; (c) any other territory which might voluntarily be placed under trusteeship; and (d) no discussion of actual territories is contemplated at the forthcoming United Nations Conference or in the preliminary consultations, and it will be a matter for subsequent agreement which territories within the above categories will be placed under trusteeship.

#### II. DECLARATION ON LIBERATED EUROPE

The following declaration has been approved:

"The Premier of the Union of Soviet Socialist Republics, the Prime Minister of the United Kingdom, and the President of the United States of America have consulted with each other in the common interests of the peoples of their countries and those of liberated Europe. They jointly declare their mutual agreement to concert during the temporary period of instability in liberated Europe the policies of their three governments in assisting the peoples liberated from the domination of Nazi Germany and the peoples of the former Axis satellite states of Europe to solve by democratic means their pressing political and economic problems.

"The establishment of order in Europe and the rebuilding of national economic life must be achieved by processes which will enable the liberated peoples to destroy the last vestiges of Nazism and Fascism and to create democratic institutions of their own choice. This is a principle of the Atlantic Charter—the right of all peoples to choose the form of government under which they will live—the restoration of sovereign rights and self-government to those peoples who have been forcibly deprived of them by the aggressor nations.

"To foster the conditions in which the liberated peoples may exercise these rights, the three governments will jointly assist the people in any European liberated state or former Axis satellite state in Europe where in their judgment conditions require (a) to establish conditions of internal peace; (b) to carry out emergency measures for the relief of distressed peoples; (c) to form interim governmental authorities broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of governments responsive to the will of the people; and (d) to facilitate where necessary the holding of such elections.

"The three governments will consult the other United Nations and provisional authorities or other governments in Europe when matters of direct interest to them are under consideration.

"When, in the opinion of the three governments, conditions in any European liberated state or any former Axis satellite state in Europe make such action necessary, they will immediately consult together on the measures necessary to discharge the joint responsibilities set forth in this declaration.

"By this declaration we reaffirm our faith in the principles of the Atlantic Charter, our pledge in the Declaration by the United Nations, and our determination to build in cooperation with other peace-loving nations world order under law, dedicated to peace, security, freedom, and general well-being of all mankind.

"In issuing this declaration, the Three Powers express the hope that the Provisional Government of the French Republic may be associated with them in the procedure suggested."

## III. DISMEMBERMENT OF GERMANY

It was agreed that Article 12 (a) of the Surrender Terms for Germany should be amended to read as follows:

"The United Kingdom, the United States of America, and the Union of Soviet Socialist Republics shall possess supreme authority with respect to Germany. In the exercise of such authority they will take such steps, including the complete disarmament, demilitarisation, and the dismemberment of Germany, as they deem requisite for future peace and security."

The study of the procedure for the dismemberment of Germany was referred to a Committee, consisting of Mr. Eden (Chairman), Mr. Winant, and Mr. Gousev. This body would consider the desirability of associating with it a French representative.

## IV. ZONE OF OCCUPATION FOR THE FRENCH AND CONTROL COUNCIL FOR GERMANY

It was agreed that a zone in Germany, to be occupied by the French Forces, should be allocated to France. This zone would be formed out of the British and American zones, and its extent would be settled by the British and Americans in consultation with the French Provisional Government.

It was also agreed that the French Provisional Government should be invited to become a member of the Allied Control Council for Germany.

## V. REPARATION

The following protocol has been approved:

Protocol on the talks between the Heads of the Three Governments at the Crimean Conference on the question of the German reparation in kind

The Heads of the Three Governments have agreed as follows:

1. Germany must pay in kind for the losses caused by her to the Allied nations in the course of the war. Reparations are to be received in the first instance by those countries which have borne the main burden of the war, have suffered the heaviest losses, and have organised victory over the enemy.

2. Reparation in kind is to be exacted from Germany in three following forms:

(a) Removals (within 2 years from the surrender of Germany or the cessation of organised resistance) from the national wealth of Germany located on the territory of Germany herself, as well as outside her territory, equipment, machine tools, ships, rolling stock, German investments abroad, shares of industrial, transport, and other enterprises in Germany, etc., these removals to be carried out chiefly for purpose of destroying the war potential of Germany.

(b) Annual deliveries of goods from current production for a period to be fixed.

(c) Use of German labour.

3. For the working out on the above principles of a detailed plan for exaction of reparation from Germany, an Allied Reparation Commission will be set up in Moscow. It will consist of three representatives—one from the Union of Soviet Socialist Republics, one from the United Kingdom, and one from the United States of America.

4. With regard to the fixing of the total sum of the reparation as well as the distribution of it among the countries which suffered from the German aggression, the Soviet and American delegations agreed as follows:

"The Moscow Reparation Commission should take in its initial studies as a basis for discussion the suggestion of the Soviet Government that the total sum of the reparation in accordance with the points (a) and (b) of the paragraph 2 should be 20 billion dollars, and that 50 percent of it should go to the Union of Soviet Socialist Republics."

The British delegation was of the opinion that, pending consideration of the reparation question by the Moscow Reparation Commission, no figures of reparation should be mentioned.

The above Soviet-American proposal has been passed to the Moscow Reparation Commission as one of the proposals to be considered by the Commission.



## VI. MAJOR WAR CRIMINALS

The Conference agreed that the question of the major war criminals should be the subject of enquiry by the three Foreign Secretaries for report in due course after the close of the Conference.

## VII. POLAND

The following Declaration on Poland was agreed by the Conference :

"A new situation has been created in Poland as a result of her complete liberation by the Red Army. This calls for the establishment of a Polish Provisional Government which can be more broadly based than was possible before the recent liberation of the Western part of Poland. The Provisional Government which is now functioning in Poland should therefore be reorganized on a broader democratic basis with the inclusion of democratic leaders from Poland itself and from Poles abroad. This new Government should then be called the Polish Provisional Government of National Unity.

"M. Molotov, Mr. Harriman, and Sir A. Clark Kerr are authorized as a commission to consult in the first instance in Moscow with members of the present Provisional Government and with other Polish democratic leaders from within Poland and from abroad, with a view to the reorganisation of the present Government along the above lines. This Polish Provisional Government of National Unity shall be pledged to the holding of free and unfettered elections as soon as possible on the basis of universal suffrage and secret ballot. In these elections all democratic and anti-Nazi parties shall have the right to take part and to put forward candidates.

"When a Polish Provisional Government of National Unity has been properly formed in conformity with the above, the Government of the U. S. S. R., which now maintains diplomatic relations with the present Provisional Government of Poland, and the Government of the United Kingdom and the Government of the U. S. A. will establish diplomatic relations with the new Polish Provisional Government of National Unity, and will exchange Ambassadors by whose reports the respective Governments will be kept informed about the situation in Poland.

"The three Heads of Government consider that the Eastern frontier of Poland should follow the Curzon Line with digressions from it in some regions of five to eight kilometers in favor of Poland. They recognise that Poland must receive substantial accessions of territory in the North and West. They feel that the opinion of the new Polish Provisional Government of National Unity should be sought in due course on the extent of these accessions and that the final delimitation of the Western frontier of Poland should thereafter await the Peace Conference."

## VIII. YUGOSLAVIA

It was agreed to recommend to Marshal Tito and to Dr. Subasic—

(a) that the Tito-Subasic Agreement should immediately be put into effect and a new Government formed on the basis of the Agreement.

(b) that as soon as the new Government has been formed it should declare—

(i) that the Anti-Fascist Assembly of National Liberation (AUNOJ) will be extended to include members of the last Yugoslav Skupstina who have not compromised themselves by collaboration with the enemy, thus forming a body to be known as a temporary Parliament; and

(ii) that legislative acts passed by the Anti-Fascist Assembly of National Liberation (AUNOJ) will be subject to subsequent ratification by a Constituent Assembly;

and that this statement should be published in the communiqué of the Conference.

## IX. ITALO-YUGOSLAV FRONTIER AND ITALO-AUSTRIA FRONTIER

Notes on these subjects were put in by the British delegation, and the American and Soviet delegations agreed to consider them and give their views later.

## X. YUGOSLAV-BULGARIAN RELATIONS

There was an exchange of views between the Foreign Secretaries on the question of the desirability of a Yugoslav-Bulgarian pact of alliance. The question at issue was whether a state still under an armistice regime could be allowed to enter into a treaty with another state. Mr. Eden suggested that the Bulgarian and Yugoslav Governments should be informed that this could not be approved.

Mr. Stettinius suggested that the British and American Ambassadors should discuss the matter further with M. Molotov in Moscow. M. Molotov agreed with the proposal of Mr. Stettinius.

#### XI. SOUTHEASTERN EUROPE

The British Delegation put in notes for the consideration of their colleagues on the following subjects:

- (a) the Control Commission in Bulgaria;
- (b) Greek claims upon Bulgaria, more particularly with reference to reparations;
- (c) Oil equipment in Roumania.

#### XII. IRAN

Mr. Eden, Mr. Stettinius, and B. Molotov exchanged views on the situation in Iran. It was agreed that this matter should be pursued through the diplomatic channel.

#### XIII. MEETINGS OF THE THREE FOREIGN SECRETARIES

The Conference agreed that permanent machinery should be set up for consultation between the three Foreign Secretaries; they should meet as often as necessary, probably about every three or four months.

These meetings will be held in rotation in the three capitals, the first meeting being held in London.

#### XIV. THE MONTREUX CONVENTION AND THE STRAITS

It was agreed that at the next meeting of the three Foreign Secretaries, to be held in London, they should consider proposals which it was understood the Soviet Government would put forward in relation to the Montreux Convention and report to their Governments. The Turkish Government should be informed at the appropriate moment.

The foregoing Protocol was approved and signed by the three Foreign Secretaries at the Crimean Conference, February 11, 1945.

E. R. STETTINIUS, Jr.  
M. MOLOTOV.  
ANTHONY EDEN.

#### Protocol on the talks between the heads of the three governments at the Crimean Conference on the question of the German reparation in kind

The Heads of the Three Governments agreed as follows:

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(c) Use of German labour.

3. For the working out on the above principles of a detailed plan for exaction of reparation from Germany, an Allied Reparation Commission will be set up in Moscow. It will consist of three representatives—one from the Union of Soviet Socialist Republics, one from the United Kingdom, and one from the United States of America.

4. With regard to the fixing of the total sum of the reparation as well as the distribution of it among the countries which suffered from the German aggression, the Soviet and American delegations agreed as follows:

"The Moscow Reparation Commission should take in its initial studies as a basis for discussion the suggestion of the Soviet Government that the total sum of the reparation, in accordance with the points (a) and (b) of the paragraph 2, should be 20 billion dollars, and that 50 percent of it should go to the Union of Soviet Socialist Republics."

The British delegation was of the opinion that, pending consideration of the reparation question by the Moscow Reparation Commission, no figures of reparation should be mentioned.

The above Soviet-American proposal has been passed to the Moscow Reparation Commission as one of the proposals to be considered by the Commission.

WINSTON S. CHURCHILL.  
FRANKLIN D. ROOSEVELT.  
JOSEPH V. STALIN.

FEBRUARY 11, 1945.

#### Agreement regarding Japan Agreement

The leaders of the three Great Powers—the Soviet Union, the United States of America, and Great Britain—have agreed that, in two or three months after Germany has surrendered and the war in Europe has terminated, the Soviet Union shall enter into the war against Japan on the side of the Allies on condition that—

1. The status quo in Outer Mongolia (The Mongolian People's Republic) shall be preserved;

2. The former rights of Russia violated by the treacherous attack of Japan in 1904 shall be restored, viz:

(a) the southern part of Sakhalin as well as all the islands adjacent to it shall be returned to the Soviet Union;

(b) the commercial port of Dairen shall be internationalized, the pre-eminent interests of the Soviet Union in this port being safeguarded, and the lease of Port Arthur as a naval base of the U. S. S. R. restored.

(c) the Chinese-Eastern Railroad and the South Manchurian Railroad, which provides an outlet to Dairen, shall be jointly operated by the establishment of a joint Soviet-Chinese Company, it being understood that the pre-eminent interests of the Soviet Union shall be safeguarded and that China shall retain full sovereignty in Manchuria;

3. The Kuril islands shall be handed over to the Soviet Union. It is understood that the agreement concerning Outer Mongolia and the ports and railroads referred to above will require concurrence of Generalissimo Chiang Kai-shek. The President will take measures in order to obtain this concurrence on advice from Marshal Stalin.

The Heads of the three Great Powers have agreed that these claims of the Soviet Union shall be unquestionably fulfilled after Japan has been defeated.

For its part the Soviet Union expressed its readiness to conclude with the National Government of China a pact of friendship and alliance between the U. S. S. R. and China in order to render assistance to China with its armed forces for the purpose of liberating China from the Japanese yoke.

J. STALIN.  
FRANKLIN D. ROOSEVELT.  
WINSTON S. CHURCHILL.

FEBRUARY 11, 1945.

#### Agreement Relating to Prisoners of War and Civilians Liberated by Forces Operating Under Soviet Command and Forces Operating Under United States of America Command

The Government of the United States of America on the one hand and the Government of the Union of Soviet Socialist Republics on the other hand, wishing to make arrangements for the care and repatriation of United States citizens freed by forces operating under Soviet command and for Soviet citizens freed by forces operating under United States command, have agreed as follows:

ARTICLE 1. All Soviet citizens liberated by the forces operating under United States command and all United States citizens liberated by the forces operating under the Soviet command will, without delay after their liberation, be separated from enemy prisoners of war and will be maintained separately from them in camps or points of concentration until they have been handed over to the Soviet

or United States authorities, as the case may be, at places agreed upon between those authorities.

United States and Soviet military authorities will respectively take the necessary measures for protection of camps, and points of concentration from enemy bombing, artillery fire, etc.

**ARTICLE 2.** The contracting parties shall ensure that their military authorities shall without delay inform the competent authorities of the other party regarding citizens of the other contracting party found by them, and will at the same time take the necessary steps to implement the provisions of this agreement. Soviet and United States repatriation representatives will have the right of immediate access into the camps and points of concentration where their citizens are located and they will have the right to appoint the internal administration and set up the internal discipline and management in accordance with the military procedure and laws of their country.

Facilities will be given for the despatch or transfer of officers of their own nationality to camps or points of concentration where liberated members of the respective forces are located and there are insufficient officers. The outside protection of and access to and from the camps or points of concentration will be established in accordance with the instructions of the military commander in whose zone they are located, and the military commander shall also appoint a commandant, who shall have the final responsibility for the over-all administration and discipline of the camp or point concerned.

The removal of camps as well as the transfer from one camp to another of liberated citizens will be effected by agreement with the competent Soviet or United States authorities. The removal of camps and transfer of liberated citizens may, in exceptional circumstances, also be effected without preliminary agreement provided the competent authorities are immediately notified of such removal or transfer with a statement of the reasons. Hostile propaganda directed against the contracting parties or against any of the United Nations will not be permitted.

**ARTICLE 3.** The competent United States and Soviet authorities will supply liberated citizens with adequate food, clothing, housing, and medical attention both in camps or at points of concentration and en route, and with transport until they are handed over to the Soviet or United States authorities at places agreed upon between those authorities. The standards of such food, clothing, housing, and medical attention shall, subject to the provisions of Article 8, be fixed on a basis for privates, non-commissioned officers and officers. The basis fixed for civilians shall as far as possible be the same as that fixed for privates.

The contracting parties will not demand compensation for these or other similar services which their authorities may supply respectively to liberated citizens of the other contracting party.

**ARTICLE 4.** Each of the contracting parties shall be at liberty to use in agreement with the other party such of its own means of transport as may be available for the repatriation of its citizens held by the other contracting party. Similarly each of the contracting parties shall be at liberty to use in agreement with the other party its own facilities for the delivery of supplies to its citizens held by the other contracting party.

**ARTICLE 5.** Soviet and United States military authorities shall make such advances on behalf of their respective governments to liberated citizens of the other contracting party as the competent Soviet and United States authorities shall agree upon beforehand.

Advances made in currency of any enemy territory or in currency of their occupation authorities shall not be liable to compensation.

In the case of advances made in currency of liberated non-enemy territory, the Soviet and United States Governments will effect, each for advances made to their citizens necessary settlements with the Governments of the territory concerned, who will be informed of the amount of their currency paid out for this purpose.

**ARTICLE 6.** Ex-prisoners of war and civilians of each of the contracting parties may, until their repatriation, be employed in the management, maintenance, and administration of the camps or billets in which they are situated. They may also be employed on a voluntary basis on other work in the vicinity of their camps in furtherance of the common war effort in accordance with agreements to be reached between the competent Soviet and United States authorities. The question of payment and conditions of labour shall be determined by agreement between these authorities. It is understood that liberated members of the respective forces will be employed in accordance with military standards and procedure and under the supervision of their own officers.

ARTICLE 7. The contracting parties shall, wherever necessary, use all practicable means to ensure the evacuation to the rear of these liberated citizens. They also undertake to use all practicable means to transport liberated citizens to places to be agreed upon where they can be handed over to the Soviet or United States authorities respectively. The handing over of these liberated citizens shall in no way be delayed or impeded by the requirements of their temporary employment.

ARTICLE 8. The contracting parties will give the fullest possible effect to the foregoing provisions of this Agreement, subject only to the limitations in detail and from time to time of operational, supply and transport conditions in the several theatres.

ARTICLE 9. This Agreement shall come into force on signature.

Done at the Crimea in duplicate and in the English and Russian languages, both being equally authentic, this eleventh day of February, 1945.

*For the Government of the United States of America:*

JOHN R. DEANE,  
Major General, U. S. A.

*For the Government of the Union of Soviet Socialist Republics:*

LIEUTENANT GENERAL GRYZLOV

#### *Report of the Crimea Conference*

For the past eight days, Winston S. Churchill, Prime Minister of Great Britain, Franklin D. Roosevelt, President of the United States of America, and Marshal J. V. Stalin, Chairman of the Council of Peoples' Commissars of the Union of Soviet Socialist Republics have met with the Foreign Secretaries, Chiefs of Staff and other advisors in the Crimea.

In addition to the three Heads of Government, the following took part in the Conference:

#### *For the United States of America:*

Edward R. Stettinius, Jr., Secretary of State,  
Fleet Admiral William D. Leahy, U. S. N., Chief of Staff to the President,  
Harry L. Hopkins, Special Assistant to the President,  
Justice James F. Byrnes, Director, Office of War Mobilization,  
General of the Army George C. Marshall, U. S. A., Chief of Staff, U. S. Army,  
Fleet Admiral Ernest J. King, U. S. N., Chief of Naval Operations and Commander in Chief, U. S. Fleet,  
Lieutenant General Brehon B. Somervell, Commanding General, Army Service Forces,  
Vice Admiral Emory S. Land, War Shipping Administrator,  
Major General L. S. Kuter, U. S. A., Staff of Commanding General, U. S. Army Air Forces,  
W. Averell Harriman, Ambassador to the U. S. S. R.,  
H. Freeman Matthews, Director of European Affairs, State Department,  
Alger Hiss, Deputy Director, Office of Special Political Affairs, Department of State,  
Charles E. Bohlen, Assistant to the Secretary of State,  
together with political, military, and technical advisors.

#### *For the United Kingdom:*

Anthony Eden, Secretary of State for Foreign Affairs,  
Lord Leathers, Minister of War Transport,  
Sir A. Clark Kerr, H. M. Ambassador at Moscow,  
Sir Alexander Cadogan, Permanent Under Secretary of State for Foreign Affairs,  
Sir Edward Bridges, Secretary of the War Cabinet,  
Field Marshal Sir Alan Brooke, Chief of the Imperial General Staff,  
Marshal of the Royal Air Force Sir Charles Portal, Chief of the Air Staff,  
Admiral of the Fleet Sir Andrew Cunningham, First Sea Lord,  
General Sir Hastings Ismay, Chief of Staff to the Minister of Defense,  
together with  
Field Marshal Alexander, Supreme Allied Commander, Mediterranean Theatre,

Field Marshal Wilson, Head of the British Joint Staff Mission at Washington.  
Admiral Somerville, Joint Staff Mission at Washington,  
together with military and diplomatic advisors.

*For the Soviet Union:*

V. M. Molotov, People's Commissar for Foreign Affairs of the U. S. S. R.,  
Admiral Kuznetsov, People's Commissar for the Navy,  
Army General Antonov, Deputy Chief of the General Staff of the Red Army,  
A. Ya. Vyshinski, Deputy People's Commissar for Foreign Affairs of the  
U. S. S. R.,  
I. M. Maisky, Deputy People's Commissar for Foreign Affairs of the U. S. S. R.,  
Marshal of Aviation Khydyakov,  
F. T. Gousev, Ambassador in Great Britain,  
A. A. Gromyko, Ambassador in U. S. A.

The following statement is made by the Prime Minister of Great Britain, the President of the United States of America, and the Chairman of the Council of Peoples' Commissars of the Union of Soviet Socialist Republics on the results of the Crimean Conference:

#### I. THE DEFEAT OF GERMANY

We have considered and determined the military plans of the three allied powers for the final defeat of the common enemy. The military staffs of the three allied nations have met in daily meetings throughout the Conference. These meetings have been most satisfactory from every point of view and have resulted in closer coordination of the military effort of the three Allies than ever before. The fullest information has been interchanged. The timing, scope and coordination of new and even more powerful blows to be launched by our armies and air forces into the heart of Germany from the East, West, North and South have been fully agreed and planned in detail.

Our combined military plans will be made known only as we execute them, but we believe that the very close working partnership among the three staffs attained at this Conference will result in shortening the war. Meetings of the three staffs will be continued in the future whenever the need arises.

Nazi Germany is doomed. The German people will only make the cost of their defeat heavier to themselves by attempting to continue a hopeless resistance.

#### II. THE OCCUPATION AND CONTROL OF GERMANY

We have agreed on common policies and plans for enforcing the unconditional surrender terms which we shall impose together on Nazi Germany after German armed resistance has been finally crushed. These terms will not be made known until the final defeat of Germany has been accomplished. Under the agreed plan, the forces of the Three Powers will each occupy a separate zone of Germany. Coordinated administration and control has been provided for under the plan through a central Control Commission consisting of the Supreme Commanders of the Three Powers with headquarters in Berlin. It has been agreed that France should be invited by the Three Powers, if she should so desire, to take over a zone of occupation, and to participate as a fourth member of the Control Commission. The limits of the French Zone will be agreed by the four governments concerned through their representatives on the European Advisory Commission.

It is our inflexible purpose to destroy German militarism and Nazism and to ensure that Germany will never again be able to disturb the peace of the world. We are determined to disarm and disband all German armed forces; break up for all time the German General Staff that has repeatedly contrived the resurgence of German militarism; remove or destroy all German military equipment; eliminate or control all German industry that could be used for military production; bring all war criminals to just and swift punishment and exact reparation in kind for the destruction wrought by the Germans; wipe out the Nazi party, Nazi laws, organizations and institutions, remove all Nazi and militarist influences from public office and from the cultural and economic life of the German people; and take in harmony such other measures in Germany as may be necessary to the future peace and safety of the world. It is not our purpose to destroy the people of Germany, but only when Nazism and Militarism have been extirpated will there be hope for a decent life for Germans, and a place for them in the comity of nations.

## III. REPARATION BY GERMANY

We have considered the question of the damage caused by Germany to the Allied Nations in this war and recognized it as just that Germany be obliged to make compensation for this damage in kind to the greatest extent possible. A Commission for the Compensation of Damage will be established. The Commission will be instructed to consider the question of the extent and methods for compensating damage caused by Germany to the Allied Countries. The Commission will work in Moscow.

## IV. UNITED NATIONS CONFERENCE

We are resolved upon the earliest possible establishment with our allies of a general international organization to maintain peace and security. We believe that this is essential, both to prevent aggression and to remove the political, economic and social causes of war through the close and continuing collaboration of all peace-loving peoples.

The foundations were laid at Dumbarton Oaks. On the important question of voting procedure, however, agreement was not there reached. The present conference has been able to resolve this difficulty.

We have agreed that a Conference of United Nations should be called to meet at San Francisco in the United States on April 25th, 1945, to prepare the charter of such an organization, along the lines proposed in the informal conversations at Dumbarton Oaks.

The Government of China and the Provisional Government of France will be immediately consulted and invited to sponsor invitations to the Conference jointly with the Governments of the United States, Great Britain and the Union of Soviet Socialist Republics. As soon as the consultation with China and France has been completed, the text of the proposals on voting procedure will be made public.

## V. DECLARATION ON LIBERATED EUROPE

We have drawn up and subscribed to a Declaration on liberated Europe. This Declaration provides for concerting the policies of the three Powers and for joint action by them in meeting the political and economic problems of liberated Europe in accordance with democratic principles. The text of the Declaration is as follows:

The Premier of the Union of Soviet Socialist Republics, the Prime Minister of the United Kingdom, and the President of the United States of America have consulted with each other in the common interests of the peoples of their countries and those of liberated Europe. They jointly declare their mutual agreement to concert during the temporary period of instability in liberated Europe the policies of their three governments in assisting the peoples liberated from the domination of Nazi Germany and the peoples of the former Axis satellite states of Europe to solve by democratic means their pressing political and economic problems.

The establishment of order in Europe and the rebuilding of national economic life must be achieved by processes which will enable the liberated peoples to destroy the last vestiges of Nazism and Fascism and to create [sic] democratic institutions of their own choice. This is a principle of the Atlantic Charter—the right of all peoples to choose the form of government under which they will live—the restoration of sovereign rights and self-government to those peoples who have been forcibly deprived of them by the aggressor nations.

To foster the conditions in which the liberated peoples may exercise these rights, the three governments will jointly assist the people in any European liberated state or former Axis satellite state in Europe where, in their judgment, conditions require (a) to establish conditions of internal peace; (b) to carry out emergency measures for the relief of distressed people; (c) to form interim governmental authorities broadly representative of all democratic elements in the population and pledged to the earliest possible establishment through free elections of governments responsive to the will of the people; and (d) to facilitate where necessary the holding of such elections.

The three governments will consult the other United Nations and provisional authorities or other governments in Europe when matters of direct interest to them are under consideration.

When, in the opinion of the three governments, conditions in any European liberated state or any former Axis satellite state in Europe make such action

necessary, they will immediately consult together on the measures necessary to discharge the joint responsibilities set forth in this declaration.

By this declaration we reaffirm our faith in the principles of the Atlantic Charter, our pledge in the Declaration by the United Nations, and our determination to build in cooperation with other peace-loving nations a world order under law, dedicated to peace, security, freedom, and the general well-being of all mankind.

In issuing this declaration the Three Powers express the hope that the Provisional Government of the French Republic may be associated with them in the procedure suggested.

#### VI. POLAND

We came to the Crimea Conference resolved to settle our differences about Poland. We discussed fully all aspects of the question. We reaffirm our common desire to see established a strong, free, independent, and democratic Poland. As a result of our discussions, we have agreed on the conditions in which a new Polish Provisional Government of National Unity may be formed in such a manner as to command recognition by the three major powers.

The agreement reached is as follows:

A new situation has been created in Poland as a result of her complete liberation by the Red Army. This calls for the establishment of a Polish Provisional Government which can be more broadly based than was possible before the recent liberation of western Poland. The Provisional Government which is now functioning in Poland should, therefore, be reorganized on a broader democratic basis, with the inclusion of democratic leaders from Poland itself and from Poles abroad. This new Government should then be called the Polish Provisional Government of National Unity.

M. Molotov, Mr. Harriman, and Sir A. Clark Kerr are authorized as a Commission to consult in the first instance in Moscow with members of the present Provisional Government and with other Polish democratic leaders from within Poland and from abroad, with a view to the reorganization of the present Government along the above lines. This Polish Provisional Government of National Unity shall be pledged to the holding of free and unfettered elections as soon as possible on the basis of universal suffrage and secret ballot. In these elections all democratic and anti-Nazi parties shall have the right to take part and to put forward candidates.

When a Polish Provisional Government of National Unity has been properly formed in conformity with the above, the Government of the U. S. S. R., which now maintains diplomatic relations with the present Provisional Government of Poland, and the Government of the United Kingdom and the Government of the United States will establish diplomatic relations with the new Polish Provisional Government of National Unity and will exchange Ambassadors, by whose reports the respective Governments will be kept informed about the situation in Poland.

The three Heads of Government consider that the eastern frontier of Poland should follow the Curzon Line, which digressions from it in some regions of five to eight kilometres in favor of Poland. They recognize that Poland must receive substantial accessions of territory in the north and west. They feel that the opinion of the new Polish Provisional Government of National Unity should be sought in due course on the extent of these accessions and that the final delimitation of the western frontier of Poland should thereafter await the Peace Conference.

#### VII. YUGOSLAVIA

We have agreed to recommend to Marshal Tito and Dr. Subasic that the Agreement between them should be put into effect immediately, and that a new Government should be formed on the basis of that Agreement.

We also recommend that as soon as the new Government has been formed it should declare that:

(i) The Anti-Fascist Assembly of National Liberation (Avnoj) should be extended to include members of the last Yugoslav Parliament (Skupschina) who have not compromised themselves by collaboration with the enemy, thus forming a body to be known as a temporary Parliament; and

(ii) Legislative acts passed by the Anti-Fascist Assembly of National Liberation (Aunoj) will be subject to subsequent ratification by a Constituent Assembly.

There was also a general review of other Balkan questions [sic].



## THE KATYN FOREST MASSACRE

## VIII. MEETINGS OF FOREIGN SECRETARIES

Throughout the Conference, besides the daily meetings of the Heads of Governments and the Foreign Secretaries, separate meetings of the three Foreign Secretaries and their advisers have also been held daily.

These meetings have proved of the utmost value, and the Conference agreed that permanent machinery should be set up for regular consultation between the three Foreign Secretaries. They will, therefore, meet as often as may be necessary, probably about every three or four months. These meetings will be held in rotation in the three Capitals, the first meeting being held in London, after the United Nations Conference on world organization.

## IX. UNITY FOR PEACE AS FOR WAR

Our meeting here in the Crimea has reaffirmed our common determination to maintain and strengthen in the peace to come that unity of purpose and of action which has made victory possible and certain for the United Nations in this war. We believe that this is a sacred obligation which our Governments owe to our peoples and to all the peoples of the world.

Only with continuing and growing co-operation and understanding among our three countries and among all the peace-loving nations can the highest aspiration of humanity be realized—a secure and lasting peace which will, in the words of the Atlantic Charter, “afford assurance that all the men in all the lands may live out their lives in freedom from fear and want.”

Victory in this war and establishment of the proposed international organization will provide the greatest opportunity in all history to create in the years to come the essential conditions of such a peace.

WINSTON S. CHURCHILL.  
FRANKLIN D. ROOSEVELT.  
JOSEPH V. STALIN.

FEBRUARY 11, 1945.

(Prepared by the Assistant for Treaty Affairs, Office of the Legal Adviser, Department of State, Washington, D. C., July 2, 1951.)

**EXHIBIT 41—MESSAGES SENT TO DEPARTMENT OF STATE BY AMBASSADOR HARRIMAN DURING FORMATION OF POLISH PROVISIONAL GOVERNMENT—SEE HARRIMAN TESTIMONY**

[Paraphrase of telegram]

LONDON, *November 23, 1944.*

SECRETARY OF STATE,  
*Washington.*

(For the President and the Secretary. Secret.)

Today at lunch with Romer and Mikolajczyk, the latter stated that he had had talks with his colleagues in the London Polish Government subsequent to the receipt of your letter. It is now his conviction that he cannot obtain any support for his program of reconciliation with the Lublin Poles and the Soviets.

The leaders of the other three parties in the London Polish Government are all definitely against a settlement now, although he has obtained complete support and authority to act from the Peasant Party leaders inside Poland. Since he could not obtain the agreement of his associates to a boundary settlement at present, he cannot, under the circumstances, in fairness ask for your intervention with Stalin in an effort to get a more favorable settlement of the frontier to include the LWOV area. I will not therefore discuss with Stalin at this time the question of LWOV unless you instruct me otherwise.

For your letter and sympathetic consideration of Polish problems, Mikolajczyk is very grateful and he will so inform you directly. He has requested me to convey his apologies for having requested that you intervene at a time when, as it worked out, he is not able to win the support of his colleagues in the effort to attain a realistic settlement with the Soviets.

In the opinion of his associates, Soviet policy was to communize Poland, Mikolajczyk said. His associates plan to wait until after the liberation of Poland, to continue within the country a resistance to the domination of Soviet Russia, and to hope that the influence of the United States and of Great Britain might be brought to bear on the Soviet Union at some future time to induce that country to permit the Polish people the right freely to choose their own government. This policy is not shared by Mikolajczyk personally and he deeply regrets that

he is not able to persuade his colleagues to join him in an earnest effort to find a solution now.

After he has talked further with Eden and Churchill, it is the intention of Mikolajczyk, under these circumstances, to resign. It is his feeling that to remain Prime Minister would be to become involved in accusations and counter-accusations with the Soviets. He feels that no good will come from this, and that his usefulness to his people in the future will be lost.

I am staying here for an additional day in order to talk with Eden and Churchill, and I will send you reports concerning their reactions to these developments.

In addition, Mikolajczyk informed me that in the Lublin Committee the communist influence was becoming greater and that several individuals, who were more independent had resigned or been forced out. Mikolajczyk said that he feared the result will be terrorism and counter-terrorism. The developments in London and Lublin have made him very pessimistic, and he considers that his best course is to withdraw, at the same time holding himself available to be of help in the future if the moment arises. Even with full Soviet support the Lublin Committee cannot compel Polish sentiment, in his opinion, and he feels that a compromise of some sort may be found some day which will allow an opportunity for Polish nationalism to express itself.

WINANT.

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[Paraphrase of telegram]

LONDON, November 25, 1944.

SECRETARY OF STATE,  
Washington.

Mikolajczyk, whom I saw this morning, informed me that the reason for his resignation as Prime Minister was his feeling that an agreement between Poland and the Soviet Union was necessary at this time, whereas the three major political parties, except for his own Peasant Party, were of the opinion that frontier questions should not be taken up until after the war was ended. (This telegram is from Schoenfeld.)

Mikolajczyk knew that he would have been the object of attacks if his government had made the concessions which the Soviets desired, but Mikolajczyk reasoned that if an agreement were not reached, the risk for Poland would be not only the loss of territories in the East but also in all probability the loss of real compensation in the West. He felt that American and British public opinion, once the war had come to an end, would not stand behind thorough going compensation for Poland in the West. Furthermore, if there were no agreement, it was certain that Poland would be subjected to severe attempts to communize the country. Those elements of the Lublin Committee which were not communist were being speedily eliminated, and that Committee was already largely communist. The members of the London Government might be successful in preventing Poland's communization if they were able to return to Poland soon. There were those who doubted Soviet intentions, and he could agree with them, but he felt that they should at least try if there was the slightest chance of success. Besides this, in view of advances by the Soviets from the southeast and from the north, the Polish Government, in the absence of an agreement, was faced with the likelihood of additional difficulty in keeping up communications with the underground organization in Poland, and in supplying it.

He would also have wished to gather up and keep intact the "capital of energy" which is still at the disposition of Poland abroad if he had had more time. It would have been a source of strength to withstand efforts aimed at the communization of Poland if the parties had been able to unite on a policy, but the parties were necessarily ineffective when they were divided. In addition, there were perhaps even a million Poles in Germany and several hundred thousand in Western Europe. In German territory which was captured recently a surprising number of Poles had already been found in prison camps. In the interests both of the war effort and of rehabilitation of these Poles he would have wished to recruit them for military service. They would have been useful as a nucleus for the rebuilding of Poland. But in the opinion of the Supreme Allied Command, it was too late to train these Poles for the war effort and only the numbers sufficient to make up losses in presently existing Polish military units were permitted. So long as there was no unity among the parties and in the absence of more support from the Allies, it was not possible for him to effect this preservation of Polish energies.

Mikolajczyk had not felt that he could take advantage of the President's offer to intervene with Stalin regarding the oil areas of Galicia and Lwow inasmuch as he was not able in any event to obtain the support of his own government to the general boundary settlement which had been proposed by the Soviets. He said that he was grateful to the President for this offer. This was in the course of a reference to his recent conversation with Harriman. It was possible, Mikolajczyk said, that "the others" were right in their estimate of the future and that he was wrong, but his own estimate was his honest conviction and he did not feel that he could continue as Prime Minister under the circumstances.

In reply to my question Mikolajczyk said that he would not undertake to form a government if Kwapinski's attempt failed. So far as his immediate plans were concerned, he said that he did not know what he would do.

Throughout this conversation Mikolajczyk spoke with quiet simplicity and kept his normal calm and self-possession, although he was somewhat more subdued than customary. He showed emotion only as I was taking leave and when I expressed my sorrow that he had resigned. He asked me to convey to the President his great admiration and appreciation and said that he appreciated deeply the understanding which had always been shown him from the American side.

WINANT.

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[Paraphrase of telegram]

Moscow, June 15, 1945.

SECRETARY OF STATE,  
Washington:

Together with the British Ambassador I met with Molotov afternoon today, and it was agreed that we should send another communication to Witos to urge him to come to Moscow despite his earlier decision not to do so, offering to see that all necessary arrangements were made for his medical attention and comfort both in Moscow and en route, and emphasizing the importance which we attached to his being here. We further agreed that Kiernik should be invited in the place of Witos if the latter finally decided that he could not come. It was the position of Molotov that the question of an interview in Poland between Witos and Mikolajczyk should be postponed until the consultations had already begun.

The British Ambassador and I gave our concurrence to inviting Kowrdzel instead of Zakowski, in connection with the agreement to Kiernik by Molotov. Molotov declined to reconsider Popiel.

At 7 p. m. tomorrow (Saturday) the Commission will receive all of the Poles, and it is a matter of urgent necessity that Stanczyk and Mikolajczyk should leave London tomorrow morning early. If possible it would seem desirable to bring Kolodzei, to whom an invitation is to be extended by the Foreign Office. We will meet with the others after we have met with the representatives of the Warsaw Government on Monday.

Molotov gave his concurrence to the rotation of the chairmanship among Commission members. This was at the suggestion of Clark Kerr. Inasmuch as Hopkins, in a conversation with Stalin, had referred to Molotov as Chairman, I spoke against the proposal but concurred in the majority vote.

HARRIMAN.

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[Paraphrase of telegram]

Moscow, June 21, 1945.

SECRETARY OF STATE,  
Washington:

An agreement which was reached among the Poles themselves was reported tonight to the Commission.

The National Council presidium will consist of the following: President—Bierut, Deputy Presidents—Witos, Szwalbe, and Grabski, plus three additional present members. When the Council is not in session, the presidium is the source of power of the Government. (This telegram was also sent to Ambassador Winant in London and to Minister Schoenfeld also in London.)

Morawski remains as Prime Minister in the Government and Gomulka of the Workers' Party stays on as Vice Prime Minister. The offices of Vice Prime

Minister and Minister of Agriculture will be assumed by Mikolajczyk, with no substantial changes in the other Ministers except that the Minister of Public Administration will be Kiernik of the Peasant Party, and the Minister of Labor and Social Welfare will be Stanczyk, the Minister of Posts and Telegraph will be Thugutt of the Peasant Party from London, Kolodziejewski, a nonparty man, will be Minister without Portfolio and the Minister of Education will be Wycech of the Peasant Party within Poland. Thus out of a total of twenty there will be six new Ministers. An invitation will be extended to Popiel of the Christian Labor Party to return to Poland and to participate in public affairs. Mikolajczyk hopes that at a later date Popiel will be given a Ministry.

The Peasant Party representatives, Mikolajczyk and Kiernik, have brought in four new Peasant leaders and have therefore not done badly. A very strong position was not taken by the Socialists, however, and the only new Socialist Minister is Stanczyk. It is their hope that the old-time Socialists will be able to increase their influence after the organization of the new government. The agreement reached by the Polish conferees was accepted by the Commission and tomorrow, Friday evening, a meeting will be held for the purpose of agreeing on the public announcement. No publicity is to be given in the meantime. I asked for instructions urgently but unless instructions to the contrary are received by 1 o'clock Washington time, 8 o'clock Moscow time, I will accept the settlement as complying with the agreement at Yalta.

It was made clear by Clark Kerr and myself that the forming of the provisional government of national unity was the first step only and that there would be no fulfillment of the Yalta decision until a truly free election was held.

Agreement has been reached in principle only on some additional understandings. For example, that the National Council shall be re-formed to include equitable representation of the various parties which have members in the government and that the same proportion shall be used in selecting the men for under-ministerial posts. It is the fundamental basis of the government, as reorganized, that the Socialist Party, the Workers' Party, and the Peasant Party each will have six ministries, and other democratic parties are to have two. Although there is no assurance that this will be done, it is the hope of both the old-line socialists not at present affiliated with the Warsaw Government, and of Mikolajczyk as well, that they can replace some of the weaker men who hold portfolios at a later date.

I must report in frankness that this settlement was reached because all the non-Lublin Poles are so concerned about the situation now in Poland that they are prepared to agree to any compromise which would offer some hope for individual freedom and for Polish independence. I asked for assurances at the meeting tonight that the principal parties concerned would promise to maintain the basic agreement until it was possible to hold a free election. Definite assurances were given. In addition, I asked for assurances of freedom to discuss and of assembly in the party before the election, and for amnesty to benefit people within Poland who were charged with political offenses. The answers were in generalities only, but after the meeting Bierut assured me privately that there was already acceptance for the principle of amnesty and he said that it was his expectation that 80 percent of the people now under arrest in Poland would be released.

It was impossible not to have the impression that the Warsaw Poles and Molotov were in high spirits and that serious concern was felt by the other Poles, who hoped that as a result of the trust they had demonstrated for the good faith of Moscow there would be a freer hand for the Poles to conduct their own affairs. For my part I am much relieved that a settlement has been agreed to by the Poles themselves, and there is no reason that I can see why we should not accept it. We must face the fact on the other hand that the Poles are relying on us for continued interest in making sure that there will be a free election.

HARRIMAN.

[Paraphrase of telegram]

Moscow, June 23, 1945.

SECRETARY OF STATE,  
Washington:

I presided at the last meeting of the Commission yesterday evening. The first matter considered was the communiqué which was agreed to in the form

in which it was later released. Because he has for personal reasons declined to serve, Kolodziejski was not included in the list of new ministers. With the support of the other Poles, including Mikolajczyk, Bierut spoke in favor of the dropping of "Provisional" in the name of the new government, urging that this would increase the effectiveness and prestige of the government. This matter was discussed by Vyshinski and myself that afternoon and since he had agreed that the word should be retained, I assumed that the Soviets would support my contention that the name of the government had been decided, after a thorough consideration, at Yalta by the three heads of government. Bierut was supported by Molotov, despite my agreement with Vyshinski. Molotov suggested that the three governments might be consulted in this matter, although he conceded that my position was in literal agreement with the Crimean decision. He said that there was no objection on the part of the Soviet Government to eliminating the word.

At that point I said that owing to the time difference between the United States and Moscow, at least 48 hours would be required to obtain an answer from my Government. Molotov withdrew his suggestion on hearing this. To my question as to whether the Poles accepted the Crimean decision on the title of the government, Bierut expressed his agreement but advanced a proposal that after the new government had been organized it should suggest three governments the elimination of the word "Provisional." This was agreed to by Molotov. While I did not express opposition to this, I explained that until free elections had occurred which would establish a permanent government, the Crimea decision would not be fulfilled. I also indicated that it was not my intention to offer any hope that the Government of the United States would agree to a change from the decision on this question by President Roosevelt. Bierut answered in the affirmative my question as to whether he agreed that the word "Provisional" would not be changed without the agreement of the United States and British Governments.

In order to eliminate any misunderstanding about the translation, it was agreed that the official text for the use of the Poles among themselves should be the Polish text of the agreement.

\* \* \* \* \*

I said that the Government of the United States had agreed to the Crimea decision and that my Government would carry out its commitments under that decision when the new government was formed as provided therein. I also said that while I accepted the settlement as a member of the Commission, I had not yet heard from my Government.

I then referred to supplementary understandings which had been reached among the Poles themselves at a previous meeting, and which had been mentioned in various statements, but which were not included, I discovered, in the written statement and I requested an explanation of these understandings so that I would be able to report them accurately to the Government of the United States. Specifically I made reference to the statement of Bierut the night before with reference to the National Council and inquired if my understanding was correct that there would be a broadening of the National Council on the same democratic basis as the government. Bierut made reference to the provision in the written agreement regarding additional members of the presidium. I then asked for further information concerning the membership of the Council itself. At this point there was an interruption by Molotov, who talked at length raising the question as to the appropriateness to ask about private matters of the Polish Government. It was quite proper for the Government of the United States to be informed completely with regard to all agreements which had been reached among the Poles, I maintained. The question was one which should be discussed, Mikolajczyk said, since the Supreme Authority of the Polish Government was the National Council, and he thought that the Poles had nothing to hide. At this Bierut enlarged and confirmed the statement he had made last evening, explaining that the Council had only 140 members at this time and that there would be a broadening of the Council's base through the local councils so that broader representation from groups now not represented could be brought in, and that there would be invitations to join the Council to all the conferees in Moscow and that after their return to Warsaw there would be further consideration of the question.

Molotov interrupted again when I inquired concerning the understanding with regard to Under-Ministerial posts. He said that since this question had not been previously raised, he did not see why we should examine into the affairs of the Poles, and he added that he was thoroughly satisfied. (My raising of this ques-

tion was motivated by the fact that Mikolajczyk had informed me that a proportional distribution of the Under-Ministerial posts had been agreed to by Bierut but that the latter had failed at the previous meeting to report this.) I did not get a direct reply from Bierut, although I pressed him for one. Bierut said that there was in Poland plenty of work for all able men and that democratic elements which would contribute to the competence of the Government would be brought in but that individual ability rather than party affiliation should be the base for appointments. He added that this was a democratic principle. Although agreeing generally, Mikolajczyk pointed out that recognition was given in democratic governments to the relative strength among the people of the different parties, and that there should be recognition for this principle as well. Bierut commented that there was a firm agreement to work together and that he was confident that this question could be settled among themselves without interference by the Allies.

I said that I wished to make clear the point that I had raised these questions so that the Government of the United States could fully understand the agreement which the Poles themselves had reached and also the manner in which the Poles planned to achieve the unity which was the common objective of all of us.

At the close of the meeting there was expression of mutual thanks and confidence in the settlement which had been achieved.

I entertained all participants at the Embassy after the meeting.

In my opinion the discussion concerning supplementary understandings was useful, although Molotov expressed objections to that discussion. Almost all of the outside Poles thanked me profusely after the meeting, expressing the belief that it would be of assistance to them in securing a fair interpretation of oral understandings which had been reached.

Unfortunately there is a clue in the remarks of Molotov that he may resist the execution of the understanding reached at Yalta that our Governments would continue to interest themselves in Polish developments through our Ambassadors in Warsaw. It is of the utmost importance, in my judgment that the United States Ambassador should arrive in Warsaw at the earliest possible date after the new government is formed. It is also of real importance, I think, that prior to his arrival in Warsaw I should see him personally so that I can give him a complete picture of the talks here.

In private conversations with me, Bierut and his associates have made it clear that they wish and need American economic and moral support and that they are prepared to establish frank and closer relations than Molotov seems to wish at present. For their part the other Polish leaders from inside Poland have clearly indicated that their only hope of securing reasonable personal freedom and independence lies in the continued interest of the American and British Governments in the implementation of the agreements which have been reached.

HARRIMAN.

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[Paraphrase of telegram]

Moscow, June 23, 1945.

SECRETARY OF STATE,  
Washington:

I wish to make a fuller report supplementing my earlier telegram, in view of the importance of the meeting Thursday.

In accordance with the agreed rotation of chairmen, Clark Kerr was in the chair. \* \* \*

\* \* \* \* \*

Bierut read a statement which all the Poles had agreed to describing the proposed reorganization of the Provisional Government along the lines which I have described previously. In reply to a question, he described the functions of the Polish National Council as the highest legislative organ and of the presidium of the National Council which functions as a legislative organ in the interim between regular Council sessions.

In response to a request for his views, Mikolajczyk said that he agreed with settlement which had been reached and felt that it was one of the best paths to an independent and free Poland. The settlement would assure, he said, the participation of great democratic parties and the masses of the Polish people in the government. He called for close relations with the Soviet Union, treaties of alliance with France and the United Kingdom and sincere cooperation and friendship with the United States and also for collaboration with all the Slavic peoples. In joining the Government of National Unity, he said that it was his

understanding that he and his colleagues obtained the right to put forward a claim of the Polish nation to the western boundaries contemplated by the Yalta Conference and also the speediest possible return of democratic Poles to Poland. He requested that Bierut should confirm his understanding that the possibility had not been excluded that Popiel would be included in the government and that there should be a widening of the National Council on the basis of the participation of all democratic parties and on proportional representation. Bierut made a long statement in reply to this, urging the great powers to give their support in principle to the demands of Poland concerning western boundaries. In addition, he confirmed Mikolajczyk's understanding on the possibility of broadening the National Council and of including Popiel.

\* \* \* \* \*

I limited myself to the remark that the Crimea decision stood and that the determination of the position of the American Government would be made when the new government was formed. In addition, I said that I felt sure that Washington would welcome the news that agreement had been reached among the Poles themselves.

\* \* \* \* \*

Molotov said that the Soviet Government would welcome the formation of the new government and give it every support.

\* \* \* \* \*

He added that the attitude of the Soviet Government concerning western boundaries was based on the decision at Yalta and said that the Soviet Government felt that the claims of Poland to the Oder Neisse Line were well founded and fully justified.

In reply to a request for my views, I said that there was nothing I could add to the terms of the Yalta decision.

\* \* \* \* \*

Osobka Morawski then requested permission to speak and advance Polish claims concerning participation in Reparations Commission, and in the War Crimes Commission, which had been brought up in his telegram to the Government of the United States. He also advanced Polish claims concerning the repatriation of Poles. \* \* \* I made no commitment.

I said in effect that I would like to be able to inform my Government that the parties had pledged themselves to maintain the agreement until the holding of elections, and I pointed out that I was not referring to future changes in ministerial posts but to the observance of the basic principles of the agreement which had been reached among the parties. In reply Bierut said that an agreement had been reached, and that they would strive to achieve a lasting unity and to hold free elections and to broaden the legislative organs along the lines agreed. This statement was subscribed to by Mikolajczyk on behalf of his party and he said that he thought he was expressing the opinion of other parties also.

I brought up the question of assurances of freedom of discussion and of assembly during the election campaign and the proposal for immunity of persons accused of political offenses. I also stressed the importance attached by us to the participation of the Christian Labor Party in the new government. Molotov, without giving Bierut a chance to answer my questions, said that he did not wish to go into a discussion of the future activities of the new government but said that he was confident, on the basis of the agreement which had been reached, that the new government would find the correct solution to the problems which faced it. The new Polish Government, he said again, would enjoy the full confidence of the Soviet Government, a confidence in the abilities and possibilities of the democratic force of new Poland. Taking his lead from Molotov, Bierut spoke only in generalities, saying that he was confident that the Poles could solve all the difficult problems confronting them in the spirit of the agreement. It was decided in the remainder of the meeting, which was devoted to a discussion of the press release concerning the agreement which had been reached, that the statement would be redrafted by the Poles today and that before the meeting of the Commission this evening there would be worked out the text of the press release. A report on this meeting will follow.

HARRIMAN.

**EXHIBIT 42—DISPATCHES DESCRIBING POLISH-SOVIET RELATIONS PREPARED BY AMERICAN AMBASSADOR TO THE POLISH GOVERNMENT IN EXILE IN LONDON, J. ANTHONY DREXELL BIDDLE**

[Portion of message from Ambassador Biddle in London dated April 23, 1943]

"\* \* \* Sikorski characterized Soviet denials as vague and as attempts to hide a grim example of present-day Russia's return to Ivan the Terrible methods. When he had questioned Stalin concerning the whereabouts of the missing officers during their talks in Moscow in December 1941, Sikorski definitely had the impression from Stalin's marked evasiveness that he knew what had happened to these officers at the hands of Russian authorities. Sikorski then mentioned the following additional piece of circumstantial evidence. In evacuating the three prison camps originally holding Polish officers in the spring of 1940, the Soviet authorities had sent a relatively small number to another camp in Eastern Russia, from which the men were released in July 1941, while the remainder, about eight or ten thousand, were sent to an unknown place, which was understood later to have been west of Smolensk. The present Justice Minister, Komarnicki was one of the party sent to Eastern Russia, and several officers of the other party had told him that the Soviet authorities had said that Smolensk was their probable destination. Besides this, all the Polish officers had, at the beginning, been allowed to write to their families in Eastern, as well as Western, Poland. By the spring of 1940, this correspondence stopped, except for the group which had been sent to Eastern Russia. \* \* \*

In response to a request by the Chief of the Polish underground, General Sikorski sent him an order to maintain quiet about the German charges, and to keep in mind that their number one enemy was Germany and that everything must be done to defeat Germany.

\* \* \* In speaking of the Polish press Sikorski felt as I personally did that further polemics could effect him personally. He could, therefore, instruct Minister of Information Kot, to quiet the tone of the Polish press and to direct the press and Polish speakers also to take the line that "regardless of whether the German charges were true or not, the Germans could be expected to describe the situation in a way to further their own ends \* \* \*."

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[Paraphrase of telegram]

LONDON, April 27, 1943.

SECRETARY OF STATE,  
Washington:

Sikorski informs me that the Polish Ambassador at Moscow reported yesterday a meeting early yesterday morning at which Molotov read to him the gist of the Soviet Government's note telling the Polish Government of the decision to break relations. The Polish Ambassador in his report said that he had refused to receive the note.

This is a telegram from Biddle in the Polish series.

I was also informed by General Sikorski that an additional telegram from Ambassador Romer which came in today tells that Molotov later sent the note to the Embassy of Poland. Romer added that after studying it he found that the Soviet Government used the term "suspend" relations instead of "sever" as he had thought previously. Ambassador Romer therefore feels that the door may thus be still open for talks.

I am also informed by General Sikorski that in a meeting with Mr. Eden on Saturday, the latter told him that Stalin had telegraphed to Prime Minister Churchill to the effect that the Soviet Government would break relations with the Polish Government unless the German allegations concerning the fate of the Polish officers near Smolensk were personally denied by General Sikorski and unless General Sikorski would withdraw the request of the International Red Cross for an investigation of the matter. I am told by General Sikorski that he informed Mr. Eden that it would not be possible for him to comply with the conditions of Stalin but that he, Sikorski, would agree to Mr. Churchill's informing Stalin that the Polish press would be "soft pedalled" by Sikorski in the matter of the missing officers and, moreover, that he would not press for the International Red Cross investigation but that he desired permission by the Soviets for the evacuation of certain categories of Poles from the Soviet Union. General Sikorski states that he was assured that a message of this kind would be sent.



The next development was the note to Ambassador Romer by the Soviet Government.

I am also informed by Sikorski that the matter was discussed fully today in the Polish Cabinet and that the Sikorski Government proposes, subject to the approval of Mr. Churchill, to issue a statement described by General Sikorski as "polite, firm, and dignified." The text of this statement is still in Polish, but General Sikorski informs me that it is about as follows:

(a) a review of relations between the Soviet Union and Poland subsequent to their agreement of 1941;

(b) despite the fact that difficulties arose for the Polish Government owing to a lack of precise information about the fate of the missing Polish officers, the Government of Poland desired to keep up good relations with the Government of the Soviet Union;

(c) information concerning these officers had been received by the Polish Government from Polish sources before the German allegations were made;

(d) it would be denied that there had been collaboration with the German Government both in the matter of the allegations and in the question of the request for an investigation by the International Red Cross;

(e) the policy of the Polish Government is to protect Polish interests and the citizens of Poland and to reinforce the unity of the common front against the enemy.

So far as General Sikorski is concerned, he is not at all certain what may lie behind the move by the Soviets. General Sikorski feels that it may be either a move intended to compel the Polish Government now in existence or a re-constructed Polish Government to pay a high price for the resumption of relations, or it might be an idea entertained for a long time by the Soviet Union of attempting to find a pretext favorable to the Kremlin to justify the break in relations with the Government of Poland. In support of the first theory there is the use of the term "suspend" in the recent note. In support of the other theory, however, General Sikorski thinks that there are the following considerations: A radical leftist of Krakow, named Droboner, has been built up by the Soviets as a possible chief leading a national committee of some sort, as the Soviets threatened in the summer of 1941 during the Polish-Russian negotiations; moreover, the establishment of a communist Polish armed force under General Rogozowski; and finally the publication of *Wolna Polska*, a Polish communist newspaper. In any event General Sikorski felt that the belief of the Soviet Government, that it should adopt an offensive rather than a defensive policy, to distract attention from the alleged massacre of Polish officers and the suggested investigation by the International Red Cross, was the primary motivation in the Soviet Government's desire to suspend relations with the Sikorski Government.

WINANT

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[Paraphrase of telegram]

Moscow, May 8, 1943.

SECRETARY OF STATE,  
Washington:

I am not reporting in detail my conversation with the British Ambassador concerning his conversation with Stalin last night since he tells me that the Department will be informed fully by his Foreign Office. It is noteworthy that the Ambassador stated that Stalin did not seem to attach too great importance to the break with Poland and that although Stalin did not apparently hold Sikorski in high regard, asserting that he was weak and open to influence from the pro-German elements in the Polish Government, Stalin, however, was inclined to accept Sikorski as the leader of a reconstituted Polish Government provided that the President and Mr. Churchill desired it. There would have to be a change in the top position of the Polish Government, however, before relations could be resumed.

The British Ambassador said that his Embassy had taken over Polish interests for the time being although it did not seem practical to handle day-to-day matters actively while they were engaged in the broader aspects of the dispute. It had been proposed, therefore, that the Australians or the Canadians who did not have a great deal to do here should take over the work. It was still hoped that the Australians would assume the responsibility, although the

Canadians had declined to accept it. I said to Molotov on May 6 that, speaking personally and without instructions in the matter, I hoped he would not hesitate to call on me if there were anything I could transmit to my government in order to regularize the present unfortunate state of Polish-Soviet relations. Molotov said that Stalin's letter to Parker explained the position of the Soviet Government, which had only good intentions toward Poland and wished to do anything in the common interests to further the common effort of the Allies provided, of course, that the interests of the Soviet Union were reserved. He said this without bitterness, adding, however, as a personal comment, that he doubted it would be possible to come to an agreement with the present Polish Government.

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[Paraphrase of telegram]

LONDON, April 28, 1943.

SECRETARY OF STATE,

Washington:

The Polish Government plans to issue following declaration this evening.

"The Polish Government affirm that their policy aiming at a friendly understanding between Poland and Soviet Russia on the basis of the integrity and full sovereignty of the Polish Republic, was and continues to be fully supported by the Polish nation.

Conscious of their responsibility towards their own nation and towards the Allies, whose unity and solidarity the Polish Government consider to be the cornerstone of future victory, they were the first to approach the Soviet Government with a proposal for a common understanding, in spite of the many tragic events which had taken place from the moment of the entry of the Soviet armies on the territory of the Republic, i. e., September 17, 1939.

Having regulated their relations with Soviet Russia by the agreement of July 30, 1941, and by the understanding of December 4, 1941, the Polish Government have scrupulously discharged their obligations.

Acting in close union with their government, the Polish people, making the extreme sacrifice, fight implacably in Poland and outside the frontiers of their country against the German invader. No traitor Quisling has sprung from Polish ranks. All collaboration with the Germans has been scorned. In the light of facts known throughout the world, the Polish Government and Polish nation have no need to defend themselves from any suggestion of contact or understanding with Hitler.

In a public statement of April 17, 1943, the Polish Government categorically denied to Germany the right to abuse the tragedy of Polish officers for her own perfidious schemes. They unhesitatingly denounce Nazi propaganda designed to create mistrust between Allies. About the same time a note was sent to the Soviet Ambassador accredited to the Polish Government asking once again for information which would help to elucidate the fate of the missing officers.

The Polish Government and people look to the future. They appeal in the name of the solidarity of the United Nations and the elementary humanity for the release from U. S. S. R. of the thousands of the families of Polish soldiers who are fighting or who in Great Britain and in the Middle East are preparing to take their part in the fight—tens of thousands of Polish orphans and children for the education of whom they would take full responsibility, and who now, in view of the German mass slaughter, are particularly precious to the Polish people. The Polish army, in waging the war against Germany, will also require for reinforcement all fighting Polish males who are now on Soviet soil, and the Polish Government appeal for their release. They reserve their right to plead their cause to the world. In conclusion, the Polish Government ask for the continuation of relief welfare for the mass of Polish citizens who will remain in the U. S. S. R.

In defending the integrity of the Polish Republic, which accepted the war with the Third Reich, the Polish Government never claimed and do not claim, in accordance with their statement of February 25, 1943, any Soviet territories.

It is and will be the duty of every Polish Government to defend the rights of Poland and of Polish citizens. The principles for which the United Nations are fighting and also the making of all efforts for strengthening their solidarity in this struggle against the common enemy remain the unchanging basis of the policy of the Polish Government.

WINANT.

[Paraphrase of telegram]

LONDON, April 21, 1943.

SECRETARY OF STATE,  
Washington:

Within the next few days, according to information we received at the Foreign Office, the British plan to approach the United States in order to suggest a parallel or joint demarche at a high level in Moscow in the hope of effecting some amelioration of Russian-Polish relations. It is our understanding that this suggestion originated prior to the recent bitter exchange on the question of the fate of the 8,000 Polish officers and that it is quite separate from this question. It is the belief of the Foreign Office that an American and British appeal to the Soviet Government, based on the necessity for United Nations unity and on the fact that if relations between the Poles and Russians continue bitter, it will only be playing the German game. The Foreign Office feels that this appeal may have some effect and might lead to a certain relaxation of the Russian attitude toward Poles in the Soviet Union. The Russian desire to reinforce and express Russian territorial aspirations in Eastern Poland is the motivation for the measures taken against such Poles since January, in the view of the Foreign Office. The point is stressed that the approximately 100,000 Polish troops in the Middle East, who are now fully equipped and who will turn out to be a valuable armed force, are becoming increasingly dissatisfied and, moreover, the Polish armed forces in the United Kingdom are also affected by the continuance of the present Russian attitude.

In addition to this there is the question of the possible evacuation from the Soviet Union of several hundred thousand Poles, their ultimate destination, and the possibilities of transporting them. The Soviet attitude concerning this possible evacuation is not known.

With respect to the German propaganda account of the 8,000 officers, the Foreign Office while understanding Sikorski's position and the fact that it has not been possible for the Poles to discover the whereabouts of these officers, tends to take the view that a mistake was made in accepting the German bait and in particular in the appeal for an investigation by the International Red Cross. Whatever the fate of these officers may have been, it seems strange, the Foreign Office feels, that the Germans after being in Smolensk so long should only now have discovered the 8,000 graves and be prepared with the identity cards of the alleged victims completely in order. The Foreign Office considers that it is now too late to remedy this particular incident in any way, unfortunate as it is, in creating anti-Soviet sentiments among the Poles and anti-Polish sentiments in Moscow as a result of the Polish communiqué. The opinion is expressed in the Foreign Office that any Anglo-American move at Moscow should be directed toward the need to effect an improvement in the near future.

WINANT.

[Paraphrase of telegram]

LONDON, May 1, 1943.

SECRETARY OF STATE,  
Washington:

Moscow is insisting that Sikorski personally make a public statement withdrawing the request of the Polish Government for an International Red Cross investigation. General Sikorski was informed of this yesterday by Mr. Eden. General Sikorski explained to Mr. Eden that he could not make such a public statement, but suggested instead that the BBC be allowed to broadcast a "Polish Telegraph Agency" statement to the effect that it had been informed that the Government of Poland, following the reply of the International Red Cross explaining the difficulties of complying with the Polish request for an investigation, regarded its appeal to the International Red Cross as having lapsed. A statement as described above was broadcast by the BBC last night, according to General Sikorski, who said that Mr. Eden had accepted his suggestion.

It remains to be seen whether a statement in this form satisfied the request of Moscow. A biting criticism in today's Daily Worker is the only indication thus far of Moscow's reaction in the matter. An "Impudent gesture at the United Nations" and "a piece of somewhat shop-soiled political ventriloquism"

were the descriptions which the "diplomatic correspondent" of the Daily Worker gave to the statement above mentioned. The British Government will probably not receive before Sunday or Monday Moscow's official reaction either to the above-mentioned statement or to the Polish Government's statement of April 28, according to General Sikorski.

WINANT.

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[Paraphrase of telegram]

LONDON, April 26, 1943.

**SECRETARY OF STATE,**  
*Washington:*

I am informed by General Sikorski that the Soviet Government handed Ambassador Romer his passport and broke relations with Ambassador Romer this morning.

I am seeing General Sikorski again tomorrow morning. He has no further details at present.

This telegram is from Ambassador Biddle, in the Polish series.

WINANT.

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[Message from the American Ambassador at Kulbyshev dated May 28, 1942]

I told Vyshinski in my conversation with him last week that my Government hoped that the most liberal interpretation possible would be made by the Soviet Government of the agreements between Poland and the Soviet Union. I stated merely that it was felt by my Government that it would further the United Nations' cause if the fighting forces of Poland were to be increased in the Near East and the Soviet Union as much as possible and if the Soviet Government, in interpreting the clauses in the Soviet-Polish Agreement regarding the evacuation and release of Polish civilians, would display as humanitarian and as liberal an attitude as possible in the circumstances. I tried to make it clear, however, that it was not the desire of the American Government to interfere in Polish-Soviet relations or in internal Soviet affairs. The reply given to me by Vyshinski was to the effect that Soviet agreements with Poland were being fulfilled to the letter by the Soviet Government, and he made a comment to the effect that little disposition had been shown by the Poles to engage in actual warfare although for more than six months they had been arming. From the attitude shown by Vyshinski the distinct impression was received by me that my overtures did not strike a sympathetic chord in him and that the interests shown by us in Soviet affairs might even have aroused his resentment.

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[Paraphrase of telegram]

LONDON, May 2, 1943.

**SECRETARY OF STATE,**  
*Washington:*

During a long conversation with Bogomolov, the Soviet Ambassador, the larger part of his remarks were in the form of a tirade against (a) the attitude of the Government of Poland in general, and in particular against the "viciously anti-Soviet element" of the Polish Government, and (b) the provocative tone of the Polish press after he had assumed his duties in London.

I have these impressions in evaluating the implications of his comments and of the continued harsh tone of both the Moscow-inspired press here and of the Moscow press itself:

Firstly: That the case against the Polish Government had been prepared by the Soviet Government simultaneously with or perhaps even prior to the sending of the Russian note of January 16, 1943, which in effect declared all Poles in the Soviet Union to be Soviet citizens.

Secondly: That from the standpoint of the Soviet Government the basic issues concerned go further than even the question of the frontiers between Poland and the Soviet Union and include additional Soviet postwar "security—frontiers" aims in the "Middle East."

Thirdly: That the Kremlin was merely waiting for a pretext which it might use to the benefit of its own interests in the future.

Fourthly: That the Soviet Government intends to exploit to the full the present political crisis in order to gain the assent of the British and United States Government to its proposed territorial "claims" at a time when, in the view of Polish government people, it is statedly considered by the Soviet Government that both the British and American Governments would be "reluctant to offend Moscow" (it does not appear to be without significance in connection with the above that Moscow for the first time took the opportunity, in its stiff note suspending diplomatic relations with the Polish Government, to state officially and publicly that it considered the Polish Ukraine, White Russia, and Lithuania to be already a part of the Soviet Union).

The Soviet Ambassador considered that the situation necessitated a reconstruction of the Polish Government and he pointedly denied that the Kremlin contemplated the formation on Russian soil of a "Polish National Committee." In his view there were among the Poles here a sufficient number to permit the formation of a "more reasonable and realistic" government than the one at present. According to Bogomolov the situation would result in a victory for the United Nations rather than for Dr. Goebbels if the present crisis resulted in the removal from the Polish Government of "fifth columnists" who were constantly endangering the solidarity of the United Nations. I gained the impression in this connection that the indignation of the Soviet Ambassador is particularly directed at the former Polish Ambassador to Moscow, Mr. Kot, who is now Minister of Information, and at Mr. Seyda, who is Minister of Post War Reconstruction. The Soviet Ambassador made known his suspicion that the request for the International Red Cross investigation was thought up by Minister Kot and that Kot drafted this particular communiqué. (Kot's responsibility in this connection is known to me. Sikorski's closest associates told me that after the communiqué had been written by Kot, Kot succeeded in influencing General Sikorski by telephone to permit Kot to release the communiqué. This happened at a moment when General Sikorski was ill and tired. I am also informed that on thinking the matter over Sikorski wished to withdraw the communiqué, but it had already been given to the press.)

With a view to the future, and in this connection, I have given Sikorski to understand that in my personal opinion (repeat personal) this "diplomatic blunder" had presented the Kremlin with an excuse for coming to grips with the Polish Government; that the fact that the Polish Government had failed to consult with either the British Government or the Government of the United States or either of them before releasing the communiqué had unfortunately given the impression in my mind that when General Sikorski's Government was creating trouble it would rather not consult us but that when it got into trouble it turned to us to get it out. General Sikorski greeted these observations with full comprehension, accepting them as my personal reaction.

WINANT.